



Cherwell
DISTRICT COUNCIL
NORTH OXFORDSHIRE

NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

Name and Address of Agent/Applicant:

Frampton Town Planning Ltd
Mr Nick Wyke
Oriel House
42 North Bar Street
Banbury
OX16 0TH

Full Planning Determination

Date Registered: 14th April 2022

Proposal: Full planning application for the erection of a new high quality combined research, development and production facility comprising of Class B2 floorspace and ancillary office floorspace with associated infrastructure including: formation of signal-controlled vehicular access to the A41 and repositioning of existing bus stops; ancillary workshops; staff gym and canteen; security gate house; a building for use as an energy centre (details of the energy generation reserved for future approval); loading bays; service yard; waste management area; external plant; vehicle parking; landscaping including permanent landscaped mounds; sustainable drainage details; together with the demolition of existing agricultural buildings within the red line boundary; and the realignment of an existing watercourse.

Location: OS Parcel 5700 South West Of Grange Farm, Street Through Little Chesterton, Chesterton

Parish(es): Weston On The Green, Chesterton, Wendlebury

PERMISSION FOR DEVELOPMENT SUBJECT TO CONDITIONS

Cherwell District Council, as Local Planning Authority, hereby **GRANTS** planning permission for the development described in the above-mentioned application, the accompanying plans and drawings and any clarifying or amending information, **SUBJECT TO THE CONDITIONS SET OUT IN THE ATTACHED SCHEDULE.**

The reason for the imposition of each of the conditions is also set out in the schedule.

Cherwell District Council
Bodicote House
Bodicote
BANBURY
OX15 4AA



David Peckford

Assistant Director – Planning and Development

Date of Decision: 16th February 2023

Checked by: **Andy Bateson**

SCHEDULE OF CONDITIONS

TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS (TL)

1. Time Limit

The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason: To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Compliance with Plans

Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:

- Access Plan - Drawing 205223/PD09 (Rev E)
- 13-222-SGP-STE-00-DR-A-131002 - Location Plan – Symmetry Park, Oxford North (Rev. P8)
- 13-222-SGP-ZZ-ZZ-DR-A-131007 – Watercourse Diversion Planning Location Plan (Rev. P1)
- 13-222-SGP-ZZ-ZZ-DR-A-131009- 01 – Location Plan
- 13-222-SGP-ZZ-ZZ-DR-A-121404 – Energy Centre Proposed Plan & Elevations (Rev. A)
- 13-222-SGP-ZZ-ZZ-DR-A-131000 - Site Plan – Phase 1 (Rev. V)
- 13-222-SGP-ZZ-ZZ-DR-A-131001 - Site Plan – Phase 2 (Rev. V)
- 13-222-SGP-ZZ-ZZ-DR-A-131002 - External Finishes Plan - Phase 2 (Rev. M)
- 13-222-SGP-ZZ-ZZ-DR-A-131003 - External Furniture & Boundary Treatment Plan - Phase 2 (Rev. M)
- 13-222-SGP-ZZ-ZZ-DR-A-131105 – Phase 1 – Production Area Layout (Rev. F)
- 13-222-SGP-ZZ-ZZ-DR-A-131106 – Phase 1 & 2 – Office Layout (Rev. D)
- 13-222-SGP-ZZ-ZZ-DR-A-131107 – Phase 1 – Gross External Area Plans (Rev. C)
- 13-222-SGP-ZZ-ZZ-DR-A-131108 – Phase 1 - GIA Plans and Critical Dimensions (Rev. E)
- 13-222-SGP-ZZ-ZZ-DR-A-131109 – Phase 1 – Roof Plan (Rev. G)
- 13-222-SGP-ZZ-ZZ-DR-A-131110 – Phase 2- Production Area Layout (Rev. E)
- 13-222-SGP-ZZ-ZZ-DR-A-131112 – Phase 2 – Gross External Area Plans (Rev. C)
- 13-222-SGP-ZZ-ZZ-DR-A-131113 – Phase 2 – GIA Plans & Critical Dimensions (Rev. D)
- 13-222-SGP-ZZ-ZZ-DR-A-131114 – Phase 2 – Roof Plan (Rev. H)
- 13-222-SGP-ZZ-ZZ-DR-A-131115 - Phase 1 & 2 – Facilities Management Building (Rev. D)
- 13-222-SGP-ZZ-ZZ-DR-A-131116 - Phase 1 & 2 – Gatehouse (Rev. B)
- 13-222-SGP-ZZ-ZZ-DR-A-131200 – Phase 1 – Production Area Sections (Rev. D)
- 13-222-SGP-ZZ-ZZ-DR-A-131201 – Phase 1 & 2 – Office Sections (Rev. C)
- 13-222-SGP-ZZ-ZZ-DR-A-131202 – Phase 2 - Production Area Sections (Rev. D)
- 13-222-SGP-ZZ-ZZ-DR-A-131204 – Phase 1 & 2 - Atrium Sections (Rev. E)
- 13-222-SGP-ZZ-ZZ-DR-A-131300 – Phase 1 – Elevations (Rev. E)
- 13-222-SGP-ZZ-ZZ-DR-A-131303 – Phase 2 – Elevations (Rev. E)
- 13-222-SGP-ZZ-ZZ-DR-A-131307 – Elevation Visuals
- Drainage Layout Drawing No. T/20/2407 55-01 Rev P5
- Water Course Sections T-21/2407 60-04 Rev P3
- Flood Risk Assessment ES Appendix 11.1 FRA V1.5
- Impermeable Areas Plan Drg 51 02 p1 (Dwg. No. T/20/2407 51-02 Rev P1)

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government Guidance contained with the National Planning Policy Framework.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE (CON)

3. BREEAM

The building hereby approved shall be delivered to BREEAM Excellent Standard.

Reason: To ensure sustainable construction and to reduce carbon emissions in accordance with Policies ESD1-5 of the Cherwell Local Plan and Government guidance within the National Planning Policy Framework.

4. Soft Landscaping

All planting, seeding or turfing comprised in the approved details of landscaping (EDP. Drawing no. EDP2425_d017e) shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the operation of the service yard, or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and government guidance contained within the National Planning Policy Framework

5. Service yard plant and equipment

Details of the plant enclosures and equipment within the service yard and approved plant zones adjacent to the building, shall be submitted to and approved in writing by the Local Planning Authority prior to installation. The plant enclosures and equipment shall be installed and maintained in accordance with the approved details.

Reason: To ensure the satisfactory appearance of the completed development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2015, saved Policy C28 of the adopted Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

6. Infiltration

No drainage systems for the infiltration of surface water to the ground are permitted other than with the written consent of the Local Planning Authority. Any proposals for such systems must be supported by an assessment of the risks to controlled waters. The development shall be carried out in accordance with the approved details.

Reason: To ensure that the development does not contribute to, and is not put at unacceptable risk from or adversely affected by, unacceptable levels of water pollution caused by mobilised contaminants. This is in line with paragraph 174 of the National Planning Policy Framework.

ONGOING REGULATORY CONDITIONS TO BE COMPLIED WITH AT ALL TIMES (R)

7. Delivery and Servicing Plan

The Delivery and Servicing Plan (January 2022, included as Appendix T of Vectos Transport Assessment dated March 2022) shall be implemented in perpetuity for the operation of the development hereby approved. The Plan shall ensure the implementation of specific details on the routing of vehicles in order to ensure that larger service / delivery vehicles avoid inappropriate routes on the local road network, in order to mitigate the impact on the surrounding network.

Reason: In the interests of highway safety and to ensure that the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Shift Changes

Shift change overs of Production Staff will avoid start and finish times during the peak highway network hours of 08:00 – 10:00 and 16:00 – 18:00, Monday-Friday in order to mitigate the impact of the development on the local highway network during peak network hours.

Reason: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

9. Air Quality Assessment and Noise Impact Assessment

No energy generating equipment shall be installed within the energy centre hereby approved until an updated air quality assessment and noise impact assessment has been submitted to and approved in writing by the Local Planning Authority.

Reason: In the interest of residential amenity and to ensure the details are acceptable to the Local Planning Authority.

10. Noise

All plant, machinery, and equipment to be used by reason of the granting of this permission, including any sound attenuating structures, shall be so installed, maintained and operated so as to ensure that the rating noise level from the site does not exceed the baseline background sound levels presented in Table 7.25 of the Environmental Statement (March 2022) and summarised below when measured at the boundary of any noise sensitive receptor. Measurement and rating of noise for the purposes of this condition shall be in accordance with BS4142:2014+A1:2019 Methods for rating and assessing industrial and commercial sound.

Receptor	Period	Derived Background Sound Level L_{A90}
Half Mile House	Daytime	54
	Night-Time	42
Green Farm Cottages	Daytime	54
	Night-Time	46
Church Lane	Daytime	56
	Night-Time	41

Reason: To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

11. Surface Water Discharge

Surface Water Discharge from the development site shall be limited to 80% of QBAR rate up to the 1% AEP event plus an allowance of 40% for climate change (a discharge limit of 18.0 l/s).

Reason: To ensure that the principles of sustainable drainage are incorporate into this proposal and maintained thereafter.

PRE-COMMENCEMENT CONDITIONS (PC)

12. CMP

No development of any phase shall take place, including any works of demolition until a Construction Management Plan (CMP) has been submitted to and approved in writing by the Local Planning Authority for that phase. The CMP shall be appropriately titled (site and planning permission number) and shall provide for as a minimum:

- Routing of construction traffic and delivery vehicles including means of access into the site;
- Details of any road closures needed during construction;
- Details of any traffic management needed during construction;
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway;
- Measures to control the emission of dust and dirt during construction;
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions;
- The erection and maintenance of security hoarding / scaffolding if required;
- A regime to inspect and maintain all signing, barriers etc;
- Contact details of the Project Manager and Site Supervisor responsible for onsite works to be provided;
- Details of the loading and unloading of plant and materials and the use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc;
- Details of arrangements for site related vehicles (worker transport etc);
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc;
- Any temporary access arrangements;
- Delivery, demolition and construction working hours;
- Storage of plant and materials used in constructing the development;
- A scheme for recycling/disposing of waste resulting from demolition and construction works.

The approved Construction Management Plan shall be adhered to throughout the construction period for the development.

Reason: In the interests of highway safety and to ensure that the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

13. LEMP

No development of any phase shall take place (including demolition, ground works, vegetation clearance) until a Landscape and Ecological Management Plan (LEMP) for the development site has been submitted to and approved in writing by the Local Planning Authority for that phase. The LEMP will set out in detail the measures to be implemented to ensure the successful establishment/installation of new habitats/features and the long-term maintenance and management of both existing and new habitats/features proposed as part of the soft landscape scheme.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

14. CEMP

No development of any phase shall take place (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:

- Risk assessment of potentially damaging construction activities;
- Identification of 'Biodiversity Protection Zones';
- Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction including the control of dust (may be provided as a set of method statements);
- The location and timing of sensitive works to avoid harm to biodiversity features;
- The times during construction when specialist ecologists need to be present on site to oversee works;
- Responsible persons and lines of communication;
- The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

15. Contamination 1

No development shall take place until, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

16. Contamination 2

If contamination is found by undertaking the work carried out under condition 15, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

17. Contamination 3

If remedial works have been identified in condition 16, the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition 16. The report shall include results of sampling and monitoring carried out in accordance with the approved verification plan to demonstrate that the site remediation criteria have been met. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

18. Contamination 4

Any contamination that is found during the course of construction of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the Local Planning Authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the Local Planning Authority. These approved schemes shall be carried out before the relevant phase of development is resumed or continued.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

19. Archaeological Written Scheme of Investigation

The development shall be carried out in accordance with the approved Written Scheme of Investigation for an Archaeological Excavation Issue No. 1 by MOLA dated 09 August 2022.

Reason: To safeguard the recording of archaeological matters within the site in accordance with the NPPF (2021).

20. Archaeology

In accordance with the approved Written Scheme of Investigation referred to in Condition 19, and prior to the commencement of the development (other than in accordance with the agreed Written Scheme of Investigation), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with the NPPF (2021).

21. Woodland Management Plan

No development shall take place until, notwithstanding the details included in Woodland Management Plan EDP2425 R018-b (June 2022), an updated Woodland Management Plan to include a full management and replanting strategy for the ancient woodland has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure the ancient woodlands longevity, and unique habitat is secured.

22. Construction Phasing Plan

No development shall commence until a construction phasing plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

23. Surface Water Management

No development shall commence until a Sustainable Surface Water Management Strategy compliance report to demonstrate how the scheme complies with the "Local Standards and Guidance for Surface Water Drainage on Major Development in Oxfordshire" shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

24. Flood Exceedance Conveyance Plan

No development shall commence until a Flood Exceedance Conveyance Plan has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

25. Infiltration Testing

No development shall commence until results from comprehensive infiltration testing across the site to BRE DG 365 standard have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

26. Drainage Layout

No development shall commence until detailed design drainage layout drawings of the SuDS proposals including cross-section details have been submitted to and approved in writing by the Local Planning Authority. The approved Drainage details shall be fully implemented prior to first occupation of each phase of the development.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

27. Water Quality

No development shall commence until details of how water quality will be managed during construction and post development in perpetuity have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

28. Third Party Drainage

No development above ground shall take place until details of any consents for any connections into third party drainage systems have been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

29. Apprenticeships and Training Opportunities

No development above ground level shall take place until a strategy has been submitted to and agreed in writing by the Local Planning Authority which sets out how Apprenticeships and Training Opportunities will be encouraged to be provided during the construction phase. Prior to the first occupation and prior to the occupation of any subsequent occupiers of the building, a further strategy shall be submitted to and approved in writing by the Local Planning Authority which sets out how Apprenticeships and Training Opportunities will be encouraged to be provided by the occupiers of the unit. The strategies above shall include details of the number of apprenticeships and training posts, over what period of time they will be employed, where the apprentices may be placed within the company and where apprentices will be taken from. The strategies shall be implemented in accordance with the approved details.

Reason: In the interests of ensuring appropriate and adequate apprenticeships are made available in accordance with policy BSC7 of the Cherwell Local Plan 2011-2031, the Council's SPD on Developer Contributions (2018) and Government guidance within the National Planning Policy Framework.

30. Solar Panels

No development above ground level shall take place on any phase until a scheme for the installation of PV panels to achieve a total power output of at least 380kWpeak on each phase has been submitted to and approved in writing by the Local Planning Authority. The scheme for each phase shall be operational prior to the first occupation of that phase and be retained in accordance with the approved plans.

Reason: In the interests of sustainable development, and to comply with Policies ESD1-5 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

31. Habitat Management Plan

A Biodiversity Net Gain will be achieved, as set out in the Biodiversity Impact Assessment edp2425_r021b (July 2022). No development above ground level shall take place until a detailed Habitat Management Plan (HMP) setting out the specific management prescriptions for each habitat type on Site, including measures for habitat creation/enhancement and ongoing management and maintenance to ensure that the target habitat quality and condition is met post-development, has been submitted to and approved by the Local Planning Authority. The approved scheme shall be implemented prior to first occupation of the building.

Reason: To achieve a Net Gain in biodiversity, this information is required prior to commencement as it is fundamental to the acceptability of the proposals.

32. Permeable Paving

No development above ground level shall take place until details of all permeable paving have been submitted to and approved in writing by the Local Planning Authority. The development shall be undertaken in accordance with the approved details.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

33. SuDS Maintenance Management Plan

No development above ground level shall take place until a detailed SuDS maintenance management plan in accordance with Section 32 of CIRIA C753 including maintenance schedules for each drainage element has been submitted to and approved in writing by the Local Planning Authority.

Reason: To ensure that the principles of sustainable drainage are incorporated into this proposal and maintained thereafter.

CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OCCUPATION (POS)

34. External Lighting

Prior to the first occupation of each phase of the building hereby approved, a detailed scheme showing external illumination of that phase of building and its curtilage shall be submitted to and approved in writing by the LPA. The scheme shall be implemented as approved.

Reason: To ensure the satisfactory appearance of the completed development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2015, saved Policy C28 of the adopted Cherwell Local Plan 1996 and Government guidance within the National Planning Policy Framework.

35. Car Parking

Prior to the first occupation of the development car park facilities shall be provided on the site (as shown in drawing ref: 13-222-SGP-ZZ-ZZ-DR-A-131000 Rev V: Site Plan – Phase 1). Thereafter, the car park facilities shall be permanently retained and maintained for the parking of vehicles in connection with the development.

Reason: In the interests of maintaining a well-functioning road network and in accordance with Policy SLE4, ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government advice in the National Planning Policy Framework.

36. Cycle Parking

Prior to the first occupation of the development covered cycle parking facilities shall be provided on the site (as shown in drawing ref: 13-222-SGP-ZZ-ZZ-DR-A-131000 Rev V: Site Plan – Phase 1). Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: In the interests of promoting sustainable transport modes in accordance with Policy SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government advice in the National Planning Policy Framework.

37. Workplace Travel Plan

Prior to first occupation of the development a Workplace Travel Plan prepared in accordance with the Framework Travel Plan (January 2022, included as Appendix S of Vectos Transport Assessment dated March 2022, to include implementation of working practices for office staff set out in 'Healthineers Way of Working' (December 2020) to achieve a broad 70/30 split of office/remote based working) will be submitted to and approved by the Local Planning Authority. The plan shall incorporate site specific details of the means of regulating the use of private cars related to the development in favour of other modes of transport and the means of implementation and methods of monitoring.

Reason: In the interests of sustainability, to ensure a satisfactory form of development and to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

38. Record of SuDS and Site Wide Drainage

Prior to the first occupation of the development, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- a) As built plans (.pdf and .shp file format);
- b) Photographs to document each key stage of the drainage system when installed on site.
- c) Photographs to document the completed installation of the drainage structures on site;
- d) The name and contact details of any appointed management company information.

Reason: In accordance with section 21 of the Flood and Water Management Act 2010.

39. Flood Risk

The development shall be carried out in accordance with the submitted flood risk assessment (version 1.5 dated May 2022, prepared by Tier Consult) and the mitigation measures it details including 450 metres diversion of the Wendlebury brook as shown in the Watercourse Diversion Plan (drawing ref: T/21/2407 60-04 Rev T6 prepared by Tier Consult). These mitigation measures shall be fully implemented prior to occupation and subsequently in accordance with the scheme's timing/phasing arrangements. The measures detailed above shall be retained and maintained thereafter throughout the lifetime of the development.

Reason: This condition is in accordance with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 (adopted July 2015) and paragraph 167 of the NPPF which state development must not increase flood risk elsewhere and should be appropriately flood resistant and resilient.

PLANNING NOTES

1. **Conditions** – the applicant's attention is drawn to the need to comply with all conditions imposed on this permission. Failure to do so could result in the council serving a breach of condition notice against which there is no right of appeal.

Under the Town and Country Planning (Fees for Applications, Deemed Application, Requests and Site Visits) (England) Regulation 2012 there is a fee payable each time you make a request to discharge any of the conditions attached to this permission. You can apply to discharge more than one condition at the same time. At the time of this decision the fee is £34 per request for householder development and £116 per request in all other cases. The fee may be more when you come to apply for the discharge of condition if the Regulations have been amended. The fee is payable when you submit the details to discharge the condition(s). The Council has '1app' forms for such applications, but their use is not mandatory.

There is no fee for the discharge of conditions on listed building consents.

The Council has eight weeks to respond to applications to discharge conditions, so you will need to make your application in good time before commencing development.

2. **Material Samples** – please note that where any of the above conditions require the approval of materials, material samples are no longer accepted at the Council offices and should in the first instance be left on the application site for the relevant case officer to view and assess in context with its surroundings. Material samples and sample panels should be placed/erected on the site before an application to discharge that condition(s) is submitted.

Should leaving samples on site be impractical then arrangements should be made with the relevant case officer to view samples on site.

3. Attention is drawn to a Legal Agreement related to this development dated 21 December 2022 which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.
4. With reference to the Flood Risk condition (No. 39) the Environment Agency offer the following further explanation:

To support their planning application, the applicant has undertaken bespoke fluvial flood modelling for this site. We have reviewed the fluvial flood model and now agree that it is suitable to inform this planning application and the accompanying flood risk assessment. Please note, this does not mean that the national Flood Map for Planning will be updated to reflect the outcomes of this model. Changing the Flood Map for Planning through an evidence led review is a separate process/application. Should the applicant wish to submit an evidence led review challenge they should refer to the details on the [.gov.uk](https://www.gov.uk) website and contact: westthamesconsents@environment-agency.gov.uk.

DEVELOPMENT MONITORING

The Council has identified the development hereby approved as one that it considers appropriate to monitor during construction. We would therefore be grateful if you could let us know of your intention to start the development at least 14 days prior to the commencement of work on site. You can do this by emailing the Council on: monitoring@cherwell-dc.gov.uk and providing us with the following information: application number; application address; and the date you intend to start the development. During the monitoring period, we will be assessing the development against the approved plans, and compliance with any conditions imposed on the permission. It is in your interest to comply with this request as it will help to avoid any unnecessary, and possibly expensive, corrective works.

STATEMENT OF ENGAGEMENT

In accordance with the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended) and paragraph 38 of the National Planning Policy Framework, the Council has worked positively, creatively and proactively to determine this application within the agreed timescales, having worked with the applicant/agent where necessary and possible within the scope of the application (as set on in the case officer's report) to resolve any concerns that have arisen, in the interests of achieving more appropriate and sustainable development proposals. Consent has been granted accordingly.

The case officer's report and recommendation in respect of this application is available to view online at: <http://www.cherwell.gov.uk/viewplanningapp>. The agenda, minutes and webcast recording of the Planning Committee meeting at which this application was determined are also available to view online at: <http://modgov.cherwell.gov.uk/ieListMeetings.aspx?CId=117&Year=0>



NOTICE OF DECISION

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

NOTES TO THE APPLICANT

TIME LIMITS FOR APPLICATIONS

By virtue of Sections 91-96 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, planning permissions are subject to time limits. If a condition imposing a time limit has been expressly included as part of the permission, then that condition must be observed. Otherwise, one or other of the following time limits will apply:

Where planning permission is given in outline subject to a condition reserving certain matters for subsequent approval, application for approval of such matters reserved must be made not later than the expiration of 3 years beginning with the date of the outline planning permission and further the development to which the permission relates must be begun not later than the expiration of 2 years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Where the planning permission is complete and is not in outline, the development must be begun not later than the expiration of 3 years from the date on which permission was granted.

OTHER NECESSARY CONSENTS

This document only conveys permission or approval for the proposed development under Part III of the Town and Country Planning Act 1990 and you must also comply with all the bye-laws, regulations and statutory provisions in force in the District and secure such other approvals and permissions as may be necessary under other parts of the Town and Country Planning Act 1990 (as amended), or other legislation.

In particular you are reminded of the following matters:

- The need in appropriate cases to obtain approval under the Building Regulations. **The Building Regulations may be applicable to this proposal. The Building Regulations may be applicable to this proposal. You are therefore advised to contact the District Council's Building Control Manager before starting work on site - Telephone: 01295 227006. Email: Building.Control@Cherwell-dc.gov.uk**
- The need to obtain an appropriate Order if the proposal involves the stopping up or diversion of a public footpath.
- Data supplied by the National Radiological Protection Board (NRPB) and the British Geological Survey (BGS) suggests that the site of this application falls within an area which is potentially at risk from radon. This may require protective measures in order to comply with the Building Regulations if your consent relates to a new dwelling or house extension. Further advice on whether protective measures are required under the Building Regulations can be obtained by contacting the Building Control Manager on 01295 227006 or E-mail at building.control@cherwell-dc.gov.uk
- The need to obtain a separate "Listed Building Consent" for the demolition, alteration or extension of any listed building of architectural or historic interest from the Local Planning Authority.
- The need to make any appropriate arrangements under the Highways Act in respect of any works within the limits of a public highway. The address of the Highway Authority is Oxfordshire County Council, Speedwell House, Speedwell Street, Oxford, OX1 1NE.

- It is the responsibility of the applicant to ascertain whether their development affects any public right of way, highway or listed building.

APPEALS TO THE SECRETARY OF STATE

If you are aggrieved by the decision of the Local Planning Authority to refuse to grant planning permission or grant planning permission subject to conditions, you can appeal to the Secretary of State in accordance with Section 78(1) of the Town and Country Planning Act 1990.

If you wish to appeal, then;

- For **Householder** applications you must do so within **12 weeks** of the date of the decision
- For **Minor Commercial** applications you must do so within **12 weeks** of the date of the decision
- For **all other types** of planning applications, you must do so within **6 Months** of the date of the decision

Unless;

- The decision on the application relates to the same or substantially the same land and the development is already the **subject of an enforcement notice** then you must appeal within **28 days** of the date of the Local Planning Authority's decision on the planning application.
- If an **enforcement notice is served** relating to the same or substantially the same land and development as in your application and if you want to appeal the decision, then you must do so within **28 days** of the service of the enforcement notice, or 6 months (12 weeks for householder and minor commercial) of the date of this decision whichever is the sooner

Forms can be obtained from the **Planning Inspectorate, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN. Tel (0303 444 5000) Or online at www.planningportal.gov.uk/pcs**. The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.

The Secretary of State need not consider an appeal if it seems to them that permission or approval for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the Local Planning Authority, having regard to the statutory requirements, to the provisions of the development order and to any directions given under the order.

In practice, the Secretary of State does not refuse to consider appeals solely because the Local Planning Authority based its decision on a direction given by them.

PURCHASE NOTICES

If either the Local Planning Authority or the First Secretary of State grants permission or approval for the development of land subject to conditions, the owner may claim that they can neither put the land to a reasonably beneficial use in its existing state nor render the land capable of a reasonably beneficial use by the carrying out of any development which has been or would be permitted.

In these circumstances the owner may serve a purchase notice on the District Council. This notice will require the District Council to purchase their interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

COMPENSATION

In certain circumstances compensation may be claimed from the Local Planning Authority if permission is granted subject to conditions by the Secretary of State on appeal or on reference of the application to them.

These circumstances are set out in the Town and Country Planning Act 1990 as amended by the Planning and Compensation Act 1991.