

Case Officer: Rebekah Morgan

Recommendation: Approve

Applicant: Bicester Motion

Proposal: Variation of Conditions 10 (access), 11 (revised energy strategy) & 12 (training and employment plan) of 18/01253/F

Expiry Date: 15 November 2022

Extension of Time: Yes

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site comprises the former RAF Bicester Airfield which is located to the north of Bicester on the outskirts of the town. The site is now occupied by Bicester Heritage, a company specialising in historic motoring and aviation. The site occupied by Bicester Heritage comprises the main 'technical site' area (where most of the buildings are located) and the flying field which extends to the north and east of the main technical site area, totalling around 141.5 hectares.
- 1.2. For the purposes of this application, the site area and redline relates to a parcel of land situated on the northern edge of the former technical site totalling 4.5 hectares. This parcel of land is therefore bounded by existing buildings of the technical site to the south and south-west, the airfield to the north and east and residential properties to the west.
- 1.3. Consent was granted for the construction of a hotel with restaurant, conference and leisure facilities including an aparthotel.
- 1.4. The proposal included a new vehicular access from the Buckingham Road leading to a small mini roundabout within the site. The car park is to be located to the western edge of the site adjacent to the boundary with Buckingham Road accessed from the northern arm of the internal roundabout. The plans shown provision of 311 car parking spaces (including 30 disabled spaces and 10 EV charging spaces), 26 of these are for feature display car parking (including 2 disabled) immediately outside the hotel with 4 spaces to be provided directly outside the aparthotel.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application is seeking amendments to Conditions 10 (access), 11 (revised energy statement) and 12 (training and employment plan) of application 18/01253/F. The application seeks to amend the timing of triggers to allow the development to commence prior to the discharge of the conditions.
- 2.2. Discussions have been ongoing throughout the application. It is proposed that the triggers are amended so that details are submitted prior to the commencement of works on the hotel building itself but allow work to commence on the car park area allowing the permission to be implemented.
- 2.3. Details of the extent of the proposed 'implementation works' have been submitted to identify the section of car parking that is included in the works and are referred to as Phase 0.

- 2.4. A Deed of Variation linked to application 18/01253/F (between the applicant and Oxfordshire County Council) has been signed to amend to description of 'commencement of development' in relation to the requirement to enter into a Section 278 agreement (highways agreement). This enables the works set out in the 'implementation' phase to be completed without triggering the requirements of the associated Section 106 agreement.

3. RELEVANT PLANNING HISTORY

- 3.1. The following planning history is considered relevant to the current proposal:

18/01253/F - Erection of hotel and conference facility with associated access, parking, and landscaping. APPROVED

22/02780/DISC - Discharge of Conditions 5 (Construction Environmental and Travel Management Plan), 6 (surface water drainage scheme), 7 (contamination scheme,) 8 (Landscape and Ecology Management Plan), 9 (Tree Removal Plan, Tree Protection Plan and an Arboricultural Method Statement) and 13 (Reptile Mitigation Strategy) of 18/01253/F. APPROVED.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No pre-application discussions have taken place with regard to this proposal.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a Site Notice displayed near the site, expiring **12 July 2022**, by advertisement in the local newspaper expiring **14 July 2022** and by letters sent to properties adjoining the application site that the Council has been able to identify from its records. The overall final date for comments was **14 July 2022**.

- 5.2. The comments raised by third parties are summarised as follows:
- They should wait to commence foundation work until the prerequisite conditions are agreed.
 - Comments relating to the change of the business name and operation of the wider site.

- 5.3. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. LAUNTON PARISH COUNCIL: **Object**; The Council objects to the changes to conditions 10 (access) and 11 (revised energy strategy). The Council believed that these were important matters which should be agreed prior to the commencement of the project, as had been previously stated, not once the foundations have been prepared. However, the Council had no opinion on the changes to condition 12.

RECONSULTATION: **No comments of objections.**

Following a re-consultation (including details of the proposed 'implementation' phase), the following comments were received: As it appeared to be procedural, the Council had no comments or objections to this application.

CONSULTEES

- 6.3. LOCAL HIGHWAYS AUTHORITY: Variation of conditions 11 and 12 – No comments. Variation of condition 10 – Objection.

The general arrangement for the site access junction was approved as part of planning application ref 18/01253/F and the relevant highway works drawing has been included and referenced in the signed S106 agreement from that application. It is accepted that the in principal arrangement of the form of the access junction and associated facilities are unlikely to change significantly through the detailed design process.

However, the condition seeks to ensure that design details such as highway drainage, areas of land required to be dedicated as public highway, detailed construction layout, location of signage etc. are identified and resolved before commencement of the development. This is in order to ensure that any potential issues that are unknown at this stage are appropriately resolved before significant commencement of construction has been undertaken on site. This requirement is replicated in the S106 agreement.

The application provides no justification for why this condition should be amended and therefore I see no reason why the condition should be varied from its current wording, nor why it should differ from the requirement in the S106 agreement.

RECONSULTATION: No objection subject to a Deed of Variation to the S106 Agreement for application ref 18/01253/F.

Following a re-consultation (including details of the proposed 'implementation' phase), the following comments were received: I have no objection to the proposals to implement a small section of the car park only prior to the completion of the S278 Agreement or prior to the approval of the relevant pre-commencement conditions. I note that the Deed of Variation is currently being drafted between OCC and the applicant's solicitors. This will enable commencement of the small section of the car park proposed prior to the completion of the S278 agreement.

- 6.4. BICESTER BIKE USER GROUP: The applicant is seeking to alter condition 10, which specifically states that a detailed access plan must be submitted and approved prior to the commencement of construction and that this information is fundamental to the acceptability of the scheme. Contrary to the applicant's assertion, starting construction (even below ground level) without a detailed plan will begin to determine and narrow down the potential access arrangements, reducing the ability of the relevant authorities to exercise their responsibility to evaluate and approve (or require modification to) the plan. The Bicester Motion site is the subject of several planning applications relating to different parts of its perimeter and it is essential that local planners have maximum scope to influence each element with regard to the whole. An approach of, let's get started and sort out the detail later?, is rarely helpful unless there are unknowns which cannot be determined until work has begun. However, the application makes no attempt to explain why getting started without a detailed plan is necessary in this case. The applicant cites no recent change in planning policy to support or justify their proposal. BBUG sees no good reason why the planning authorities should waive their usual scrutiny of this major development. To reiterate, the provision of a detailed plan and its approval are explicitly stated to be fundamental to the acceptability of the plan. Nothing has changed.

RECONSULTATION: **No comments received.**

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- ESD1 – Mitigating and Adapting to Climate Change
- ESD 3 – Sustainable Construction
- ESD15 – The Character of the Built and Historic Environment

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG): Use of Planning Conditions

8. APPRAISAL

8.1. The key issues for consideration in this case are:

- Implications of amending conditions

Condition 10 (Access)

8.2. Condition 10 original states:

No development shall take place until full details of the means of access between the land and the highway including position, layout, construction, drainage and vision splays has been submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the building, the means of access shall be constructed and retained in accordance with the approved details.

Reason - In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, 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.

8.3. The applicant is seeking to amend the trigger point for this condition to allow commencement of development to take place. The applicant has submitted details of an ‘implementation’ phase of works that include works to construct a small area of car park and site compound. The proposal would not include any works or ground works relating to the hotel building itself.

- 8.4. The application only seeks to amend the trigger point for the submission of the details required by the condition. The implementation of the approved means of access will still be required prior to the first use of the hotel.
- 8.5. The Local Highways Authority has no objection to the proposal in terms of highway safety. The amendments would not alter the level of detail required or the requirement to have the access constructed before the hotel could be used. Therefore, it would not be detrimental to the development or the wider highway network if the initial trigger point is amended to allow a small amount of implementation works to keep the permission extant.
- 8.6. The comments made by third parties have been considered, however, as set out above, the proposed changes would not impact detrimentally on the overall scheme.

Condition 11 (revised Energy Strategy)

- 8.7. Condition 11 original states:

No development shall take place until a Revised Energy Strategy has been submitted to and approved in writing by the Local Planning Authority. This should include proposals to reduce energy demand, increase energy efficiency, and generate energy from renewable energy sources. It should also propose ways in which carbon emissions will be reduced and low carbon measures be embodied into the proposals. The development shall proceed in accordance with the approved Strategy.

Reason - To ensure sustainable construction and reduce carbon emissions in accordance with Government guidance contained within the National Planning Policy Framework and to ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to accord with Policies ESD1 and ESD3 of the Cherwell Local Plan 2011- 2031. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

- 8.8. The applicant is seeking to amend the trigger point for this condition to allow commencement of development to take place. The applicant has submitted details of an 'implementation' phase of works that include works to construct a small area of car park and site compound. The proposal would not include any works or ground works relating to the hotel building itself.
- 8.9. The proposed amendment would mean that this condition is still agreed prior to any work on the hotel building itself. Therefore, the amendment to the trigger and the carrying out of the implementation work would not limit or undermine any potential proposals that may be included in the strategy.

Condition 12 (training and employment plan)

- 8.10. Condition 12 original states:

No development shall take place until a Training and Employment Plan has been submitted to and approved in writing by the Local Planning Authority. As a minimum this Plan shall include the arrangements by which the applicant (or other specified persons) will provide construction (and related trades) apprenticeship starts during construction of the development hereby approved. Construction shall take place in accordance with the agreed Plan.

Reason: Paragraphs 80 and 81 of the National Planning Policy Framework support and encourage Application No.: 18/01253/F 6 of 15 sustainable economic growth. Para B14 of the adopted Cherwell Local Plan 2011-2031 recognises that it is important to ensure the population is sufficiently skilled to attract companies and investment to Cherwell and supports proposals to strengthen the skills base of the local economy. Strategic Objective 3 of the adopted Cherwell Local Plan seeks to support an increase in skills. This condition is a pre-commencement condition as it relates to the provision of construction apprenticeships.

- 8.11. The applicant is seeking to amend the trigger point for this condition to allow commencement of development to take place. The applicant has submitted details of an 'implementation' phase of works that include works to construct a small area of car park and site compound. The proposal would not include any works or ground works relating to the hotel building itself.
- 8.12. The proposed amendment would only allow a small section of implementation works to be carried out. The condition would still require the submission of a training and employment plan prior to work starting on the hotel building itself. Therefore, the amendments would not undermine the potential of the employment and training plan which would still apply to the majority of the development proposed.

Other Matters

- 8.13. The Deed of Variation to the Section 106 agreement for application 18/01253/F has been signed by all relevant parties. The DoV amends the description of 'commencement of development' relating to the trigger point for a S278 agreement to be entered into. The implications of this DoV means that any changes to the conditions (as set out in this application) would not conflict with the requirements of the Section 106 agreement.
- 8.14. It is noted that the original Section 106 agreement for application 18/01253/F includes a clause linking the agreement to any subsequent applications (which this application is), therefore there is no requirement for a further legal agreement as a result of this application.
- 8.15. Application 22/02780/DISC discharged conditions 5, 6, 8, 9 and 13 of application 18/01253/F. The conditions recommended below include changes to these conditions to reflect the agreed details.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The proposed amendments relate to the trigger points for the submission of details relating to three conditions. The applicant has clear set out the works that will form an implementations phase. The proposed changes would not undermine the original reasons for the conditions or the development as a whole and are considered to be acceptable changes.

10. RECOMMENDATION

That permission is granted, subject to the following conditions:

Statutory Time Limits

1. The development to which this permission relates shall be begun not later than the 11th March 2023.

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.

Approved Plans

2. The development shall not be carried out otherwise than in complete accordance with the approved plans listed below unless a non-material or minor material amendment is approved by the Local Planning Authority under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (as amended).
 - Drg No. ASA-548-SK-808 Rev P4 – Site Layout
 - Drg No. A-000-010 Rev P0 – Proposed Site Plan
 - Drg No. A-100-000 Rev P0 – Ground Floor Layout Plan
 - Drg No. A-100-001 Rev P0 – Proposed First Floor Plan
 - Drg No. A-100-002 Rev P0 – Proposed Second to Fourth Floor Plan
 - Drg No. A-100-005 Rev P0 – Proposed Roof Plan
 - Drg No. A-110-002 Rev P0 – Proposed East and North Elevations
 - Drg No. A-110-001 Rev P0 – Proposed West and South Elevations
 - Drg No. A-120-001 Rev P0 – Proposed Section A

Reason: For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority.

Permitted Use

3. The aparthotel hereby permitted shall be used only for the purpose of Class C1 (hotel use) and for no other purpose whatsoever of the Schedule to the Town and Country Planning (Use Classes) (England) Order 1987 (as amended) and the let of the aparthotel rooms shall be limited to a maximum time period of 1 month per occupancy unless planning permission is otherwise granted by the Local Planning Authority.

Reason: To enable the Local Planning Authority to retain planning control over the development of this site in order to safeguard the amenities of the occupants of nearby dwellings and the standard of the development in accordance with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, Policies C28 and C30 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Compliance with Ecological Assessment

4. The development shall be carried out in accordance with the recommendations set out in section 5 of the Ecological Assessment carried out by Ecological Solutions dated July 2018.

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.

Construction Environmental and Travel Management Plan

5. The development shall be carried out in accordance with the Construction and Environment Management Plan prepared by the Bicester Motion Project Management Team dated April 2022 approved under application 22/02780/DISC.

Reason: In the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times and to ensure the environment is protected during construction in accordance with Saved 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.

Surface Water Drainage

6. The development shall be carried out in accordance with the Surface Water Drainage Scheme approved under application 22/02780/DISC, which specified the following approved details:
 - Discharge Rates - Proposed Drainage Strategy, 0500 Rev P01
 - Discharge Volumes - Proposed Drainage Strategy, 0500 Rev P01
 - Infiltration in accordance with BRE365 (To include infiltration testing; seasonal monitoring and recording of groundwater levels) – Completed
 - SuDS (Underground geo-cellular soakaway, Swale, Permeable Paving) - Proposed Drainage Strategy, 0500 Rev P01
 - Maintenance and management of SuDS features (To include provision of a SuDS Management and Maintenance Plan) - Technical Note, 5017396-TN-0001 Rev A
 - Detailed drainage layout with pipe numbers - Proposed Drainage Strategy, 0500 Rev P01
 - Network drainage calculations - Calculations produced
 - Phasing - Development is single phase
 - Flood Flow Routing in exceedance conditions (To include provision of a flood exceedance route plan) - 5017396-RDG-XX-ST-DR-C-0501 Rev-.

Reason: To ensure that the development is served by sustainable arrangements for the disposal of surface water, to comply with Policy ESD6 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government advice in 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.

Contamination

7. The development shall be carried out in accordance with the Desk Study Review and Ground Investigation Report (doc ref: 22457-HYD-XX-XX-RP-GE-1001-S2-P01) prepared by Hydrock dated May 2022 and Technical Note – Planning Condition 7 rationalisation (doc ref: 22457-HYD-XX-XX-RP-GE-XX-S2-P01) prepared by Hydrock dated November 2022 approved under application 22/02780/DISC.

Reason: To ensure the development is in accordance with Policy ENV1 of the Cherwell Local Plan 1996, and para 178 of the NPPF. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

LEMP

8. The development shall be carried out in accordance with the Landscape and Ecology Management Plan (doc ref: 7884M.HotelLEMP.vf1) prepared by

Ecology Solutions dated December 2022 approved under application 22/02780/DISC.

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 Application No.: 18/01253/F 5 of 15 is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Trees

9. The development shall be carried out in accordance with the Site Specific (Arboricultural) Method Statement prepared by Higginson Associates Arboricultural Consultants dated February 2022 approved under application 22/02780/DISC.

Reason: To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing built environment and to comply with Policy C28 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. It is noted that the submitted Arboricultural Impact Assessment was submitted prior to the plans being finalised and it is therefore unclear which trees will be affected. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

Access

10. Prior to the commencement of any ground works, except those shown in Phase 0 Implementation Phase (as detailed in Agent's supporting letter dated August 2022), details of the means of access between the land and the highway including position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of the building, the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interests of highway safety and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, and Government guidance contained within the National Planning Policy Framework.

Revised Energy Strategy

11. Prior to the commencement of any ground works, except those shown in Phase 0 Implementation Phase (as detailed in Agent's supporting letter dated August 2022), a Revised Energy Strategy shall be submitted to and approved in writing by the Local Planning Authority. This should include proposals to reduce energy demand, increase energy efficiency, and generate energy from renewable energy sources. It should also propose ways in which carbon emissions will be reduced and low carbon measures be embodied into the proposals. The development shall proceed in accordance with the approved Strategy.

Reason: To ensure sustainable construction and reduce carbon emissions in accordance with Government guidance contained within the National Planning Policy Framework and to ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to accord with Policies ESD1 and ESD3 of the Cherwell Local

Plan 2011- 2031.

Training and Employment Plan

12. Prior to the commencement of any ground works, except those shown in Phase 0 Implementation Phase (as detailed in Agent's supporting letter dated August 2022), a Training and Employment Plan shall be submitted to and approved in writing by the Local Planning Authority. As a minimum this Plan shall include the arrangements by which the applicant (or other specified persons) will provide construction (and related trades) apprenticeship starts during construction of the development hereby approved. Construction of the development shall take place in accordance with the agreed Plan.

Reason: Paragraphs 80 and 81 of the National Planning Policy Framework support and encourage sustainable economic growth. Para B14 of the adopted Cherwell Local Plan 2011-2031 recognises that it is important to ensure the population is sufficiently skilled to attract companies and investment to Cherwell and supports proposals to strengthen the skills base of the local economy. Strategic Objective 3 of the adopted Cherwell Local Plan seeks to support an increase in skills.

Reptile Mitigation

13. The development shall be carried out in accordance with the Reptile Mitigation Strategy prepared by Ecology Solutions dated February 2022 (reference: 7884M.RMP.vf) approved under application 22/02780/DISC.

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.

Finished Floor Levels

14. A plan showing full details of the finished floor levels in relation to existing and proposed site levels for the proposed hotel shall be submitted to and approved in writing by the Local Planning Authority prior to the laying of foundations for the building. The proposed finished floor levels should be in accordance with the recommendations in the Flood Risk Assessment accompanying the application: Version 1.0 dated 14/12/2016. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.

Reason: To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to take into account risks from surface water flooding to comply with Policy ESD6 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policies ENV1 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Materials

15. Prior to the construction of any part of the development hereby approved above ground level, a schedule of materials and finishes for the external walls and roof of the development hereby approved (including the submission of samples) shall be submitted to and approved in writing by the Local Planning Authority. The

Schedule shall include details and samples of the expanded wire mesh. Thereafter the development shall be carried out in accordance with the approved schedule.

Reason: To ensure the satisfactory appearance of the completed development, and to preserve the visual amenities of the conservation area and the significance of the heritage asset and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Architectural Detailing

16. Notwithstanding the details shown on the approved plans, further details of the architectural detailing of the exterior of the building, including the windows and doors (and their surrounds, depths and reveals), together with the eaves and verge treatment shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the building to which they relate above slab level. The development shall thereafter be carried out in accordance with the approved details.

Reason: In order to safeguard the visual amenities of the conservation area and the significance of the heritage asset in accordance with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996.

Boundary Treatments

17. No boundary treatments shall be erected around the perimeter of the site without details (including the design, position height and materials) having been submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved details.

Reason: To ensure that there is an appropriate integration between the application site and the existing technical site to preserve the character and appearance of the conservation and area setting of listed buildings to accord with Policy ESD15 and Bicester 8 of the Cherwell Local Plan 2011-2031 Part 1 and Government advice contained in the National Planning Policy Framework.

Lighting

18. Details of all external lighting including the design, position, orientation, illumination and its intensity together with any screening of the lighting shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that work. Thereafter, the lighting shall be installed, operated and retained in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to consider the needs of Ecology at the site to comply with Policy ESD 10 and ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Signage

19. A Signage Strategy for the site shall be submitted to and approved in writing by the Local Planning Authority prior to the installation of any external signage

(either free-standing or on buildings). The signage shall be installed in accordance with the approved Strategy thereafter.

Reason: In the interests of visual amenity, to preserve the character and appearance of the conservation area and to comply with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policies C18, C28 and C30 of the Cherwell Local Plan 1996 and Government advice in The National Planning Policy Framework.

NOTE: Approval of a Signage Strategy does not override the need for separate advertisement consent, should that be required.

Screening for plant/equipment

20. Further details of the design of the proposed screen to the plant and equipment area on the roof of the hotel shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of that work. The development shall then be carried out in accordance with the approved details and retained in that manner at all times.

Reason: To ensure that the appearance of the plant and equipment area is minimised in the interests of maintaining a high quality of development and to accord with policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1.

Bin Storage

21. Full details of the refuse/recycling bin storage for the site, including location and compound enclosure details, shall be submitted to and approved in writing by the Local Planning Authority Application No.: 18/01253/F 8 of 15 prior to the commencement of that work. Thereafter and prior to the first occupation of the development, the refuse/recycling bin storage area shall be provided in accordance with the approved details and retained unobstructed except for the storage of refuse/recycling bins.

Reason: To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Trees and Landscaping

22. Notwithstanding the approved details a scheme for landscaping the site shall be provided to and approved in writing by the Local Planning Authority which shall include: -
- (a) details of the proposed tree, hedgerow and shrub planting (including evergreen species) including their species, number, sizes and positions, together with grass seeded/turfed areas and written specifications (including cultivation and other operations associated with plant and grass establishment i.e. depth of topsoil, mulch etc),
 - (b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,
 - (c) details of the hard surface areas, including footpaths, pavements, pedestrian areas, car parking and manoeuvring areas, reduced-dig areas, crossing points and steps,
 - (d) details and cross section drawings of the proposed earth moundings shown on the approved plans,

(e) areas of species rich grassland to be retained and details of the provision and future management of areas of long tussocky calcareous grassland to mitigate for any losses to the habitats supported within the site. This grassland to be established using locally sourced seed and managed for nature conservation to maintain the habitat in a favourable condition in the future following establishment,

(f) details of tree pits,

(g) a landscaping strategy for the enhancement of the Scheduled Monuments (SAM) within the site (the SAM on the western boundary and the SAM to be in the newly created area of track) to better reveal their significance (boundary detailing, hard/soft landscaping etc.).

Such details shall be provided prior to any development progressing above slab level or such alternative time frame as agreed in writing with the Local Planning Authority. Thereafter, the development shall be carried out in strict accordance with the approved landscaping scheme.

Reason: In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to safeguard the integrity of the Scheduled Monuments, to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C25 and C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

23. All planting, seeding or turfing comprised in the approved details of landscaping 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 first occupation of the building or such alternative time frame as agreed in writing by the Local Planning Authority. 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 ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Turning/Parking

24. Prior to the construction of the building above slab level, full specification details (including construction, layout, surfacing and drainage) of the turning area and parking spaces within the site, shall be submitted to and approved in writing by the Local Planning Authority. The turning area and spaces shall be arranged so that motor vehicles may enter, turn around and leave in a forward direction and vehicles may park off the highway. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety, to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031 and to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

Realignment of existing track

25. Notwithstanding the approved plans, further details of the realignment and surfacing of the existing track adjacent to the eastern corner of the proposed hotel and in the vicinity of the Scheduled Monument shall be submitted to and approved in writing by the Local Planning Authority before those works commence. The development shall then be carried out in accordance with the approved details.

Reason: To ensure that the integration of the new part of the track is to an acceptable standard in the interests of achieving a high quality development and maintaining the integrity of the site and to accord with Policy ESD15 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

Acoustic Enclosures

26. Prior to their installation, full details of a scheme to acoustically enclose all items of mechanical plant and equipment within the building, including compressor motors and fans shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the building, the development shall be carried out and retained in accordance with the approved details.

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 1996 and Government guidance contained within the National Planning Policy Framework.

Cycle Parking

27. Prior to the first use or occupation of the development hereby approved, covered cycle parking facilities shall be provided on the site in accordance with details which shall be firstly submitted to and approved in writing by the Local Planning Authority. Thereafter, the covered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason: 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.

Travel Plan

28. Prior to the first use or occupation of the development hereby approved, a Travel Plan, prepared in accordance with Oxfordshire County Council's approved Travel Plan guidance shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

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.

Land Contamination Remediation Works

29. Prior to the first use or occupation of the development hereby approved, a verification report demonstrating completion of works, as set out in the approved remediation strategy and reporting the effectiveness of the remediation shall be submitted to and approved, in writing, by the Local Planning Authority. 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. It shall also include any plan (a "long-term monitoring and maintenance plan") for longer-term monitoring of pollutant linkages, maintenance and arrangements for contingency action, as identified in the verification plan. The long-term monitoring and maintenance plan shall be implemented as approved.

Reason: The proposed development should be in accordance with paras 178 and 179 of the NPPF. To ensure that contamination at the site is remediated, such that the site does not pose a threat to controlled waters.

Waste Water Upgrades

30. No buildings shall be brought into use until confirmation has been provided that either (a) all wastewater network upgrades required to accommodate the additional flows from the development have been completed; or (b) an infrastructure phasing plan has been agreed with Thames Water to allow additional business units to first be brought into use. Where an infrastructure phasing plan is agreed no use of the business units shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason - The development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development. Any necessary reinforcement works will be necessary in order to avoid sewer flooding and/or potential pollution incidents, to comply with Policies ESD6 and ESD8 of the Cherwell Local Plan 2011-2031 Part 1.

Water Network Upgrades

31. No buildings shall be brought into use until confirmation has been provided that either (a) all water network upgrades required to accommodate the additional flows from the development have been completed; or (b) an infrastructure phasing plan has been agreed with Thames Water to allow additional business units to be occupied. Where an infrastructure phasing plan is agreed no use of the business units shall take place other than in accordance with the agreed infrastructure phasing plan.

Reason - The development may lead to no / low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from the new development, to comply with Policies ESD6 and ESD8 of the Cherwell Local Plan 2011-2031 Part 1.

Landscape Maintenance

32. Prior to the first use or occupation of the development hereby approved, a schedule of landscape maintenance and a landscape management plan for a minimum period of 5 years, to include the timing of the implementation of the schedule, management responsibilities, maintenance schedules, details of the

future management, protection and conservation of areas of calcareous grassland and procedures for the replacement of failed planting shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the landscape maintenance shall be carried out in accordance with the approved schedule.

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 ESD15 of the Cherwell Local Plan 2011-2031 Part 1, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

Unexpected Land Contamination

33. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

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 saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

BREEAM

34. The building hereby approved shall be constructed to achieve at least a BREEAM 'Very Good' rating.

Reason: To ensure sustainable construction and reduce carbon emissions in accordance with Government guidance contained within the National Planning Policy Framework and to ensure energy and resource efficiency practices are incorporated into the development in accordance with the Government's aim to achieve sustainable development as set out in the National Planning Policy Framework and to accord with Policy ESD3 of the Cherwell Local Plan 2011-2031.

Swimming Pool – Discharge rate/timing

35. If the swimming pool will be emptied into a public sewer the pool shall be emptied overnight and in dry periods and the discharge rate shall be controlled such that it does not exceed a flow rate of 5 litres/ second into the public sewer network.

Reason: To prevent the risk of flooding or surcharging, to comply with Policies ESD6 and ESD7 of the Cherwell Local Plan 2011-2031 Part 1.

Planning Notes

1. **Legal Agreement** – Attention is drawn to a Legal Agreement related to this development dated 10th March 2020 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.

2. **Condition 12** – In respect of condition 12 above, the Plan should consider how apprenticeships will be delivered, how apprenticeship opportunities will be advertised, how the applicant/developer will work with local employment/training agencies to identify construction related job opportunities, how the applicant will deliver supply chain events to promote opportunities for local companies and how these will be advertised.
3. **Condition 16** – In respect of condition 16 above details should include window depths and reveals; window detailing; wall finishes and colours; detail of the curved feature corner and eaves treatment details.
4. **Thames Water Assets** – There are easements and wayleaves running through the west of the Site. These are Thames Water Assets. The company will seek assurances that it will not be affected by the proposed development.
5. **Wastewater:** Thames Water requests that the programme of the development and proposed pump rates be provided to enable us to plan any future network reinforcement that may be required. The applicant should contact Thames Water to discuss their proposed development in more detail. All enquiries from developers in relation to proposed developments should be made to Thames Waters Developer Services team.
6. **Discharge of SuDS** – The application indicates that surface waters will NOT be discharged to the public network and as such Thames Water has no objection, however approval should be sought from the Lead Local Flood Authority. Should the applicant subsequently seek a connection to discharge surface water into the public network in the future then this would be a material change to the proposal, which would require an amendment to the application.

Case Officer: Rebekah Morgan

DATE: 20/02/2023

Checked By: Paul Ihringer

DATE: 20/2/23
