



**Cherwell**  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

# NOTICE OF DECISION

## TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

### Name and Address of Agent/Applicant:

Mr Nicholas Alston  
Gresham Street  
London  
EC2V 7NQ

### Full Planning Determination

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**Date Registered:** 3rd March 2023

**Proposal:** Redevelopment of the site to include the demolition of existing buildings and development of new accommodation across 5 buildings for employment uses (Class E(g)(ii) and (iii)) plus ancillary amenity building, outdoor amenity space, car parking, cycle parking, landscaping and associated works

**Location:** New Science Park Land West Of The Junction With The Boulevard, Oxford Airport, Langford Lane, Kidlington

**Parish(es):** Kidlington

### 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: 22nd March 2024**

Checked by: Caroline Ford

## SCHEDULE OF CONDITIONS

1. 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. 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:

### Plans:

21.926.PL.001 - Existing Location Plan  
21.926.PL.002 - Existing Site Plan  
21.926.PL.003 - Demolition Site Plan  
21.926.PL.004 - Existing Site Sections  
21.926.PL.005 - Proposed Site Plan  
21.926.PL.006 - Proposed Site Sections  
21.926.PL.010 – Existing Building 1 Plan & Elevation  
21.926.PL.011 – Existing Building 2 Plan & Elevation  
21.926.PL.012 – Existing Building 3 Plan & Elevation  
21.926.PL.015 – Existing Building 5 Plan & Elevation  
21.926.PL.016 – Existing Building 6&7 Plan & Elev.  
21.926.PL.020 (Rev A) – Proposed Building A Plans  
21.926.PL.021 (Rev A) – Proposed Building A Elevations  
21.926.PL.022 (Rev A) – Proposed Building B Plans  
21.926.PL.023 (Rev A) – Proposed Building B Elevations  
21.926.PL.024 (Rev A) – Proposed Building C Plans  
21.926.PL.025 – Proposed Building C Elevations  
21.926.PL.026 (Rev A) – Proposed Building D Plans  
21.926.PL.027 – Proposed Building D Elevations  
21.926.PL.028 – Proposed Building E Plans  
21.926.PL.029 – Proposed Building E Elevations  
21.926.PL.030 – Amenity Building Plans & Elevations  
21.926.PL.031 (Rev A) – Outbuildings Plans & Elevations  
1493.OA.003 (Rev B) – Science Park Landscape Masterplan

### Documents:

Planning Statement (including Statement of Community Involvement, Public Benefits Statement & S106 Head of Terms)  
Design & Access Statement (including landscape plans/strategy & photographs/montages)  
Landscape and Visual Impact Assessment  
Transport Assessment (including Travel Plan & Servicing and Delivery Strategy)  
Phase 1 Ecological Survey (inc. BNG Report)  
Flood Risk Assessment  
Surface Water Drainage/Management Strategy  
Utilities Strategy  
Economic Needs Assessment and Benefits Statement  
Energy and Sustainability Strategy (including BREEAM pre-assessment)  
Land Contamination Assessment (Baseline)  
Tree Survey  
Archaeological Watching Brief WSI  
Construction Environmental Management Plan  
Lighting Strategy

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

3. Prior to above ground works commencing on each building hereby approved a schedule of materials to be used on external walls and surfaces shall be submitted to and agreed in writing by the Local Planning Authority. The details shall be in accordance with the principles set out in the approved Design and Access Statement. The development shall be constructed in accordance with the approved details.

Reason: To ensure that the materials are appropriate to the appearance of the locality and to ensure the satisfactory appearance of the completed development in accordance 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.

4. 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 and shrub planting 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 landscaping including hard surface areas, pavements, pedestrian areas and steps.

(d) details of ecological enhancement including entomological enhancement

Such details shall be provided prior to the development progressing above slab level and shall include a time frame for phasing or implementation. The approved scheme shall be implemented in accordance with the submitted timescale or by the end of the first planting season following occupation of the development.

Any tree, shrub or landscape feature that dies or is diseased in the first five years post implementation shall be removed at the earliest available opportunity and replaced by a specimen of equal or commensurate landscape value in the first available planting season.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of a well planned development and visual amenity and to accord 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.

5. The floorspace hereby approved for Buildings A, B, C, D and E as shown on drawing number 21.926.PL.005 - Proposed Site Plan is permitted to be used for uses in classes E(g) (i) and/or (ii) and/or (iii) and B2 of the Town and Country Planning (Use Classes) Order 1987 (as amended). Uses in Class B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended) are also permitted but only where they are ancillary to the function of an individual Class E(g) or B2 operation.

The amenity hub building as shown on drawing number 21.926.PL.005 - Proposed Site Plan is permitted to be used for uses in classes E(a), (b) and F2(a) of the Town and Country Planning (Use Classes) Order 1987 (as amended). Uses for the sale of food and drink to be consumed off the premises are also permitted where they are ancillary to the function of an individual Class E(a), (b) and F2(a) operation.

Reason: Having regard to the location of the development and the assessment of Green Belt purposes and to comply with the employment requirements of Policies Kidlington 1 and ESD 14 of the Cherwell Local Plan 2015 and Government Guidance contained within the National Planning Policy Framework.

6. Prior to the first occupation of the development hereby approved, a Travel Plan, prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans", 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: To encourage the use of sustainable modes of transport

7. Prior to first occupation of each building hereby approved, details of all electric vehicle charging points shall be submitted to and agreed in writing by the Local Planning Authority. The charging points shall be implemented prior to each building's car parking spaces being brought into use. The charging points shall comply with BS EN 62196 Mode 3 or 4 charging and BS EN 61851 and shall be implemented on a minimum of 25% of parking spaces and 100% of disabled parking provision. Passive provision for the remaining car parking spaces to allow the installation of further EV charging points shall be ensured as part of the construction process.

Reason: To ensure that the development meets the requirements of Policies ESD4 and ESD5 of the Cherwell Local Plan 2015 and the aims and objectives of the NPPF in mitigating the impact of climate change and the ongoing provision and movement towards electric vehicle provision in new cars by 2030

8. The proposed vehicle parking should be laid out in accordance with plan 21.926.PL.005 – Proposed Site Plan. Prior to first occupation of each building no more than 1 car parking space per 45sqm in accordance with Oxfordshire County Council's Parking Standards 2022 shall be provided. The total car parking provision for the completed development shall not exceed 322 car parking spaces.

Reason: To ensure satisfactory functioning of the development and in the interests of highway safety and to promote sustainable travel choices in accordance with Saved Policies C30 and C32 of Cherwell Local Plan 1996 and Policy ESD5 of the Cherwell Local Plan 2015

9. Prior to the implementation of any external lighting, details shall be submitted to and approved in writing by the Local Planning Authority. The lighting details shall include measures to reduce light spillage, account for ecological sensitive receptors and provide appropriate lighting to walking and cycling facilities and a phasing detail for implementation. Prior to the first occupation of the development the approved details shall be installed and in operation.

No other external lights/floodlights shall be erected on the land without the prior express consent of the Local Planning Authority.

Reason: To ensure that the development does not unduly affect operations at London Oxford Airport and in order to safeguard the amenities of the area and future users of the development, to promote ecology on the site and to comply with Government guidance contained within the National Planning Policy Framework, Policies ESD10, ESD13 and ESD15 of the Cherwell Local Plan 2015 and Saved Policies ENV1, C28 and C30 of the Cherwell Local Plan 1996

10. The development hereby permitted shall be constructed to meet at least BREEAM 'Very Good' standard.

Reason: In order to comply with Policy ESD3: Sustainable Construction of the Cherwell Local Plan 2015 and the submitted information in support of the application.

11. No goods, materials, plant, or machinery, excluding the approved external plant enclosures shown on plan 21.926.PL.005 - Proposed Site Plan, shall be stored, repaired, operated or displayed outside the buildings hereby approved.

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

12. The Development hereby permitted shall be constructed in accordance with the submitted Construction Environmental Management Plan (CEMP) and the associated Construction Traffic Management Plan (CTMP).

Reason: To ensure satisfactory development and management of the construction process and to comply with Policy ENV1 of the Cherwell Local Plan 1996.

13. Prior to the first occupation of each building, phasing details of all outbuildings and ancillary buildings shown on drawing numbers 21.926.PL.005 (Proposed Site Plan) and 21.926.PL.031 (Outbuildings Plans & Elevations) shall be submitted to and approved in writing by the Local Planning Authority. Prior to the first occupation of each building, all associated cycle and refuse stores shown on drawing 21.926.PL.005 (Proposed Site Plan) shall be in place and available for use.

Reason: To encourage the use of sustainable modes of transport and to ensure satisfactory servicing of the site.

14. The maximum GIA floorspace of the approved development including mezzanine floors shall be 18,767sqm.

Reason: To define the permission and having regard to the transport infrastructure installed being created as part of the development.

15. Prior to first occupation, a detailed potable water and surface water strategy and drainage plans shall be submitted to and approved in writing by the Local Planning Authority. The strategy shall demonstrate how the management of water within the Development Parcel accords with the submitted Flood Risk Assessment and Drainage Strategy. The strategy shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site. Details shall include any onsite water infrastructure (e.g. pumping stations) which shall be positioned and designed in a manner to reflect the need for high quality public realm and details of a timetable or any phased implementation.

The development shall be implemented in accordance with the approved details.

Reason: In the interests of satisfactory drainage and provision of potable water and functioning of the site and to ensure that the sustainable drainage systems hereby approved are appropriately implemented in accordance with Policies ESD6, ESD7 and ESD8 of the Cherwell Local Plan 2015.

16. Development on site shall be carried out in accordance with the recommendations of the approved Archaeological Report and Watching Brief.

a) An archaeologist (Project Officer or Supervisor) will be present on site during ground work that has the potential to reveal archaeological remains.

b) Any archaeological deposits and features revealed will be cleaned by hand and recorded in plan before being excavated and/or recorded in an appropriate manner. Any archaeological features or other remains i.e. concentrations of artefacts, will be recorded by written, drawn and photographic record.

c) Post-excavation assessment (to be produced for each archaeological site within 12 months of the completion of fieldwork or an alternative agreed timescale including the development of on-site interpretation resources containing information on heritage assets (as derived from the archaeological investigations)

d) Completion of post-excavation analysis; preparation and deposition of site archive at a store agreed with the local planning authority; completion of an archive report; and the submission of a publication report (to be completed to an agreed timescale following completion of the post-excavation assessments) and a strategy for community engagement and presentation to the general public and local groups at a facility to be agreed.

Reason: To secure the provision of archaeological investigation and the subsequent recording of the remains, to comply with Government advice in the National Planning Policy Framework (NPPF) (Section 16).

17. Prior to first occupation of each building hereby approved details of solar panels on the roofs of each unit shall be submitted to and approved in writing by the Local Planning Authority. The solar panels shall be implemented prior to each building being brought into use. Passive provision for the remaining roofs to allow the installation of further solar panels shall be ensured as part of the construction process.

Reason: To ensure that the development meets the requirements of Policies ESD4 and ESD5 of the Cherwell Local Plan 2015 and the aims and objectives of the NPPF in mitigating the impact of climate change and the requirement for renewable energy sources and progression away from the reliance on fossil fuels.

18. Prior to the commencement of development, except site preparation and enabling works, details of the site wide surface water drainage (following the principles of the approved Flood Risk Assessment and Drainage Strategy) shall be submitted to and approved in writing by the Local Planning Authority. The details shall include:

i) measures to maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body.

ii) include details of all flow control systems and the design, location and capacity of all Sustainable Urban Drainage Systems (SuDS) relevant to that phase of development as part of a wider SuDS network on the site and shall include ownership, long-term adoption, management and maintenance schemes and monitoring arrangements/responsibilities. The details should also demonstrate that the exceedance of the designed system has been considered through the provision of overland flow routes.

iii) The development of the phase shall be carried out in full accordance with the relevant approved detailed surface water strategy.

Reason: In order to reduce the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and rate of water leaving the site.

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy detailing how this contamination will be dealt with has been submitted to, and approved in writing by, the local planning authority. The remediation strategy shall be implemented as approved.

Reasons: 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 from previously unidentified contamination sources at the development site. This is in line with paragraph 174 of the National Planning Policy Framework

## 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](mailto: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.

## 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 £43 per request for householder development and £145 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. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development. Thames Water highlight that additional infrastructure may be needed to support the connection of the development but this is not yet defined. Considering the undefined nature of the infrastructure, the matter should be taken forward with Thames Water via [thameswater.co.uk/preplanning](http://thameswater.co.uk/preplanning).
4. Attention is drawn to a Legal Agreement related to this development dated 06 March 2024 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.

## 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?CIId=117&Year=0>



**Cherwell**  
DISTRICT COUNCIL  
NORTH OXFORDSHIRE

## 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](mailto: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](mailto: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](http://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.