

Crossway
156 Great Charles Street Queensway
Birmingham
B3 3HN

gerald.sweeney@carneysweeney.co.uk

5th July 2023

Mr Tom Webster
Public Protection and Development Management
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

Dear Tom,

SUBMISSION OF A RESERVED MATTERS APPLICATION: PROPOSED CONSTRUCTION OF A SUB-STATION WITH ALL ASSOCIATED WORKS, ON LAND NORTH OF BICESTER AVENUE GARDEN CENTRE, OXFORD ROAD, BICESTER – OUTLINE PLANNING PERMISSION 17/02534/OUT

PLANNING PORTAL REFERENCE: PP-12201938

CarneySweeney have been instructed by Peveril Securities Ltd (the Applicant) to submit a reserved matters application to seek approval for the construction of a primary sub-station with all associated works on land north of Bicester Avenue Garden Centre, Oxford Road, Bicester. The site is part of land granted outline planning permission for up to 60,000sqm of office floor space (reference: 17/02534/OUT and subsequent s73 reference: 23/01080/OUT).

This covering letter, which includes the details for the proposed sub-station, along with the following documents/items, are submitted in support of the planning application:

- Planning Application Forms
- Site Location Plan – Drawing Ref: F100A
- Proposed Site Layout Plan – Drawing Ref: F101A
- Proposed Landscaping Plan – Drawing Ref: F102A
- Substation Details – Drawing Ref: F103
- Primary Compound Elevations – Drawing Ref: T2122221A-GAD-014 Rev 1
- DNO Compound Layout – Drawing Ref: T2122221A GAD-011 Rev 1
- IDNO Compound Layout – Drawing Ref: T2122221A GAD-012 Rev 1
- Drainage Strategy (Curtins, June 2023)



- Ecological Appraisal (FPCR, June 2023);
- Ecological Technical Note (FPCR, June 2023); and
- The planning application fee payable to the planning authority has been paid via the Planning Portal.

The proposed sub-station is located within the extent of the red line boundary shown on the submitted Site Location Plan ref: F101

The proposed sub-station is required to deliver the infrastructure to serve the wider development proposal approved for the Bicester Arc site, which will deliver up to 60,000 sqm of employment floorspace.

The proposed development is small-scale, comprising a site area of 5,569 sq.m. It is served by an access road, linking to the internal estate road, allowing for 24/7 maintenance access. The appearance and scale of the proposed sub-station is shown on drawing ref: F103.

Outline Planning Permission

The outline planning approval requires that a series of environmental planning reports and studies are included as part of Reserved Matters proposals. These are discussed below, with the relevant documents submitted as part of the Reserved Matters application.

Condition 6 – ground levels

Condition 6 reads:

“All reserved matters submissions relating to a phase shall be accompanied by details of the existing and proposed ground levels as well as finished floor levels of all proposed buildings within that phase. Where the proposed ground and floor level details are approved as part of the reserved matters approval for that phase, the development in that phase shall be undertaken in accordance with those approved levels.

Reason - To ensure that the proposed development is in scale and harmony with its surroundings 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.”

The Reserved Matters proposals includes a drawing package which includes the details required by Condition 6.

Condition 7 - BREEM

Condition 7 reads:

“All applications for approval of reserved matters that provide details of proposed buildings shall be accompanied by information that demonstrates that the buildings will achieve BREEM 'very good' standard based on the criteria applicable at the date of this decision.

Reason - In the interests of ensuring sustainability in construction in accordance with the requirements of Policy ESD3 of the Cherwell Local Plan 2011-2031 Part 1.”

BREEM is not applicable to the proposed development and the Reserved Matters application contains no further reference to the requirements of Condition 7.



Condition 8 – renewable energy

Condition 8 reads:

“All applications for approval of reserved matters relating to a phase shall be accompanied by details of the on-site renewable energy provision to be incorporated into that phase. Development within that phase shall take place in accordance with the approved details of on-site renewable energy provision and no development shall be occupied until the approved on-site renewable energy provision for that phase is operational, and shall be retained as such thereafter.

Reason - In the interests of ensuring that major development takes all reasonable opportunities to operate more sustainably in accordance with the requirements of Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1.”

A renewable energy strategy is not applicable to the proposed development and the Reserved Matters application contains no further reference to the requirements of Condition 8.

A renewable energy strategy has been developed for the wider site, which is underpinned by the desire to deliver a wide range of positive responses to climate change and the ambitions of Cherwell District Council’s planning policies and the UK wide target of zero carbon. The proposal improves biodiversity, increases green space, reduces the impact on the local surface water drainage, significantly reduces energy use, and maximises the potential to benefit from continued decarbonisation of the electricity grid where possible. Energy strategy for relevant phases of the development will be submitted with separate Reserved Matters applications.

Conditions 9 and 10 – surface water drainage strategy

Condition 9 reads:

“Prior to the submission of or to accompany the first application for approval of reserved matters, full details of a surface water drainage strategy (including phasing) for the entire site, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy and phasing.

Reason: To ensure that sufficient capacity is made available to accommodate the new development and in order to avoid adverse environmental impact upon the community in accordance with Policy ESD7 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 any development on the appropriate phase as it is fundamental to the acceptability of the scheme.”

The Reserved Matters proposal includes a Drainage Strategy prepared by Curtins which defines the site wide surface water drainage strategy, pursuant to Condition 9.

Condition 10 reads:

“All applications for approval of reserved matters relating to each phase shall be accompanied by details of a surface water drainage scheme for that phase (in accordance with the principles embodied within Sustainable Drainage Systems (SuDS) and the approved surface water drainage strategy for the overall site approved by condition 9). The development shall thereafter be constructed in accordance with the approved surface water drainage scheme and no development shall be occupied within each phase until the approved drainage scheme is completed.

Reason - To ensure that the development does not increase risk of flash flooding in an extreme storm event in accordance with the requirements of Policy ESD7 of the Cherwell Local Plan 2011-



2031 Part 1 as well as Government guidance contained in the National Planning Policy Framework.”

The Reserved Matters proposal includes a Drainage Strategy prepared by Curtins which define the surface water drainage scheme for this phase of development, pursuant to Condition 10.

Condition 11 - odour

Condition 11 reads:

“All applications for approval of reserved matters relating to a phase shall be accompanied by an odour report (produced by an appropriately qualified professional) detailing the measures necessary to minimise the potential for occupants of the development within that phase to experience nuisance caused by the proximity of the nearby Bicester Sewage Treatment Works. The development within each phase shall thereafter be carried out in accordance with the necessary measures set out in the approved odour report for that phase.

Reason - In the interests of ensuring the development is compatible with the existing surrounding land uses in accordance with the requirements of Policy Bicester 4 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance in the National Planning Policy Framework.”

The proposed development will not be occupied, and the Reserved Matters application contains no further reference to the requirements of Condition 11.

Condition 12 – biodiversity

Condition 12 reads:

“All applications for reserved matters approval relating to a phase shall be accompanied by a biodiversity statement that has regard to the ecological information contained within Appendix B to the Environmental Statement Addendum (June 2018) and shall include an assessment of the ecological implications of development within that phase together with the measures to be incorporated within that phase to help mitigate/enhance ecological interest on the site. Development within the phase must thereafter take place in accordance with the measures contained within the approved biodiversity statement for that phase.

Reason - To ensure that the ecological impact of the detailed phases of the overall development are fully understood and coordinated through an overarching ecological strategy for the site in accordance with the requirements of Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 as well as Government guidance contained in the National Planning Policy Framework.”

The Reserved Matters proposal includes an Ecological Appraisal and Ecological Technical Note which address the requirements of Condition 12.

Conclusions

Given the nature of the proposed development, it is not considered to be contrary to the provisions of the statutory Development Plan and neither the policy guidance with National Planning Policy Framework, published July 2021. It will enable the delivery of the Bicester Arc employment development, in line with Policy 4 of the Local Plan and help to achieve Strategic Objective SO1 of the Local Plan (*“To facilitate economic growth and employment and a more diverse local economy with an emphasis on attracting and developing higher technology industries”*). As such, we invite Cherwell District Council as the local planning authority to grant planning permission, without delay.



We trust the enclosed documents as submitted are satisfactory to enable the registration of this application and look forward to receiving confirmation on this matter. However, should you have any queries please do not hesitate to contact me via the above email address.

Yours sincerely,



Gerald Sweeney
Director
CarneySweeney

