

**Case Officer:** Tom Webster

**Recommendation:** Approve

**Applicant:** Peveril Securities

**Proposal:** Reserved Matters approval for 23/01080/OUT - Details of access, appearance, landscaping, layout and scale relating to the proposed development of Class E(g)(i) (formerly B1(a)) office/commercial building and Class E(g)(ii) (formerly B1(b)) Research and Development Units, plus associated car parking

**Expiry Date:** 30 November 2023

**Extension of Time:** 28 March 2024

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## **1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site comprises a rectangular shaped parcel of land that forms part of a wider piece of arable land, which has been allocated in the Cherwell Local Plan 2015 as 'Bicester 4' for the creation of a 60,000sqm office park.
- 1.2. The application site is directly opposite a Tesco superstore, and Lakeview Drive, a private road that provides access to the wider Bicester 4 site and the Tesco store.
- 1.3. Strategically spaced-out trees define the northern boundary line. There are no clearly defined boundary lines for the rest of this application site because it is part of a wider arable field.
- 1.4. To the east of the site lies Langford Brook and beyond this the sewage treatment works. To the west and south lies the remainder of the Bicester 4 Site (almost 13.1ha of arable land).
- 1.5. The site sits outside of a conservation area, it is not near any listed buildings and is inside flood zone 1.

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1. The proposed use is Class E(g)(i) office/commercial building and Class E(g)(ii) Research and Development Units, plus associated car parking. The floorspace proposed is 10,128 sq.m (GEA) which falls within the ceiling of 60,000sqm set out in the outline consent (23/01080/OUT).
- 2.2. The site will be accessed via the creation of two new entrance points. The larger entrance point will connect the site with Lakeview Drive. This access point is directly opposite the south flank wall of the Tesco's superstore. It will lead into a service yard.
- 2.3. The second, smaller, entrance point will be located along the southwestern boundary and will link up with a future spine road that, in turn, will also connect with Lakeview Drive.

- 2.4. The number of car parking bays has been revised down from 238 to 230. The loss of 8 bays will allow for small, strategically placed, landscaping areas inside the car park. There will be seven different hard surface types to provide visual interest.
- 2.5. It is also proposed to provide 100 cycle bays and 24 Electric Vehicle Charging bays.
- 2.6. The north, west and southern boundaries will contain rows of trees. The north and west boundaries will also contain landscape strips.
- 2.7. The commercial floorspace will be divided into two buildings:
  - Building A will be office use and will contain four storeys. Its floorspace (GIA) would be 5,109.4sqm. This building will have a height (from ground floor to the top of the roof plan) of 19.920m.
  - Building B will be used for Research and Development purposes. It will have one floor and the floor area (GIA) would be 4,645sqm. The height of the building to the haunch is 10m.
- 2.8. Following negotiations with officers, Building B has been set further back from Lakeview Drive.
- 2.9. It is intended that both buildings will be occupied by YASA Group, a local manufacturing company who specialise in developing axial flux technology motors and control systems for electric vehicles. The company was founded in 2009 and is now looking to expand the business; and they require additional commercial and research floorspace to do so.
- 2.10. It is anticipated that this development, if granted permission, will increase the number of people employed by the company from 379 to 515 by the year 2030.

### **3. RELEVANT PLANNING HISTORY**

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

*23/010808/OUT* - Variation of Condition 4 (approved plans and documents), Condition 30 (highway design) and Condition 34 (employment floor space limit) of 17/02534/OUT relating to the erection of a business park of up to 60,000 sq.m (GEA) of flexible Class B1(a) office / Class B1(b) research & development floorspace (now under Use Class E); associated vehicle parking, landscaping, highways, infrastructure and earthworks (Original Application accompanied by an Environmental Statement) – *Granted 4 March 2024*

*17/02534/OUT* - The erection of a business park of up to 60,000sqm (GEA) of flexible Class B1(a) office / Class B1(b) research & development floorspace; associated vehicle parking, landscaping, highways, infrastructure and earthworks” – *Granted 6 December 2020;*

*07/01106/OUT* - Outline - Construction of a 60000sqm business park incorporating offices (B1) and hotel (C1), parking for up to 1,837 cars, associated highway, infrastructure and earthworks (as amplified by additional information received 15.08.07, addendum to the Flood Risk Assessment received 07.09.07, additional information received 18.10.07 and Archaeological Trench Evaluation received 04.12.07) - *Granted 26 October 2010;*

12/01193/F - Proposed foodstore with associated car parking, petrol filling station with car wash/jet wash, recycling facilities, ancillary plant and equipment, landscaping, access and highway works. *Granted 12 November 2013;*

23/01711/REM - Reserved matters approval for 17/02534/OUT – Proposed construction of a sub-station with all associated works - *Granted 17 November 2023*

#### **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 **25 January 2024**, by advertisement in the local newspaper expiring **11 November 2023** 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 **25 February 2024**.

5.2. No comments have been raised by third parties.

#### **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. Bicester Town Council: *RESOLVED that Bicester Town Council has no objections to this planning application and request that the roof will support solar panels.*

6.3. Chesterton Parish Council: *Objects – Chesterton Parish Council considers the proposed building to be too tall and out of keeping with the surrounding area. At 4 storeys in height, it is much higher than any other building around it, such as Tesco, David Lloyd and the Gateway offices.*

6.4. *We consider that light pollution could present a problem from such a huge glass fronted building 4 storeys in height, and the proposed parking provision on site appears minimal for an office block of this size.*

6.5. Bicester Bug: Comments were received which are available on the file. However, these comments have been summarised, considered and addressed in the report for 23/01080/OUT.

6.6. Oxford Liveable Streets: Submitted an objection on the following grounds:

6.7. *“Requiring four staggered stages for someone walking to make a single crossing of the development entry is positively anti-pedestrian and needs to be rethought completely. We suggest aligning the pedestrian crossing with the cycle crossing (and possibly on the inside rather than the outside of it). That will avoid confusion for drivers who will not expect to have to stop twice in quick succession for crossings. It would also allow the crossing to be reduced to two pedestrian stages.*

6.8. *And cycling must be buffered from motor traffic with 40mph speeds. Table 6-2 in "Cycle Infrastructure Design" (LTN1/20) requires 0.5 metres at "an absolute minimum" - and recommends 1 metre.”*

6.9. Officer comment: This objection appears to relate more to Outline application 23/01080/OUT which was granted permission on the 4 March 2024.

#### STATUTORY CONSULTEES

6.10. Oxfordshire County County Highways: *The Highways have withdrawn their objection, subject to conditions. They had previously objected to the proposal on the following grounds:*

*Parking provision exceeds the level set in the County's parking standards.*

- *Insufficient provision of cycle parking across the development.*
- *The provision of EV charging points is unacceptably low.*
- *The submission is void of tracking drawings to demonstrate safe manoeuvre of delivery vehicles off Lakeview Drive.*

6.11. *The OCC Highways Authority now notes that "this submission now has addressed all of OCC's previous concerns except the requirement for capacity of EV Charging points on site. The other issues have been addressed"*

6.12. Highways England: *"We have reviewed the details of this application and we are satisfied that this proposal will not materially impact the safe and efficient operation of the SRN as the reserved matters do not interact with the SRN and the size of the development has not changed".*

6.13. Natural England: *No comments to make.*

6.14. Environmental Agency: *No comments to make.*

6.15. Environmental Protection: *Have made the following comments:*

#### General:

*No comments.*

#### Noise:

*No comments*

#### Contaminated Land:

*Having read the reports provided I am satisfied with their contents and have no further comments.*

#### Air Quality:

*No Comments*

#### Odour:

*Having read the odour assessment provided I am satisfied with its findings and have no further comments.*

#### Light:

*No comments*

- 6.16. CDC Drainage: *No objection – No comments or objections. The drainage proposals are in accordance with the approved strategy.*
- 6.17. OCC Drainage: *No objection*
- 6.18. Thames Water: No Objection - *The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer networks*
- 6.19. *Thames Water recognises this catchment is subject to high infiltration flows during certain groundwater conditions. The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy following the sequential approach before considering connection to the public sewer network. The scale of the proposed development doesn't materially affect the sewer network and as such we have no objection, however care needs to be taken when designing new networks to ensure they don't surcharge and cause flooding. In the longer term.*
- 6.20. *Thames Water, along with other partners, are working on a strategy to reduce groundwater entering the sewer network.*
- 6.21. *Thames Water would advise that with regard to FOUL WATER sewerage network infrastructure capacity, we would not have any objection to the above planning application, based on the information provided.*
- 6.22. *The application indicates that SURFACE WATER 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 we would consider this to be a material change to the proposal, which would require an amendment to the application at which point we would need to review our position.*
- 6.23. Thames Valley Police
- 6.24. *I have some concerns with the proposals in terms of the potential for crime and disorder, and whilst I do not object to this application, I ask that further information is provided and plans amended prior to permission being granted. In order to ensure all opportunities are taken to design out crime from the outset, and to ensure all areas of the development are sufficiently secured to reduce the opportunities for crime and disorder to occur, I ask that a Secure by Design and Lighting Condition or be placed upon any approval;*
- 6.25. *I also highlight to the applicant that it is not possible for me to provide full guidance for appropriate levels of security to be provided, without knowing the tenant of the building or the holdings that may be contained within. Once tenants for the building are identified, I recommend a Security Needs Assessment (SNA) is completed by a competent Suitably Qualified Security Specialist (SQSS). This assessment should then be used to inform the design and specification of access points and controls, CCTV systems, alarms and any additional lighting requirements throughout the development.*
- 6.26. *I provide the following comments to ensure forthcoming applications meet the requirements of;*

- *The National Planning Policy Framework 2023 paragraph 92(b); which states that Planning policies and decisions should aim to achieve healthy, inclusive and safe places which are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion...*
- *The National Planning Policy Framework 2023, paragraph 130(f) which states that "Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible... and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience".*

### Parking

- 6.27. *All parking spaces should be covered by CCTV to deter crime and aid in the detection and prosecution of offenders. CCTV systems should be designed holistically with the planting and lighting scheme to ensure no areas of conflict between these different elements.*
- 6.28. *I am unable to locate any plans for secure enclosed cycle storage serving this development. Covered stands are suitable for temporary visitor cycle storage, however they must be located close to the entrance of the main building where they are well overlooked by high levels of surveillance and passing foot traffic. I have concerns that the proposed locations of stands currently lacks sufficient surveillance to deter theft. I ask that secure enclosed/access controlled cycle storage is provided, which is designed in accordance with the guidance of Secured By Design. Plans should be submitted prior to permission being granted.*

### Cycle storage facilities should be covered by CCTV and be lit.

- 6.29. *I am unable to locate any plans or specifications for the external enclosures for waste. Plans indicate bin storage may be easily accessible from the public realm creating vulnerability. It is important that accessible bin stores are provided with enhanced levels of security, and I ask that all doors are secured to a minimum LPS 1175 SR2. Enclosures should be fully covered by CCTV. I ask that plans for waste storage facilities are provided prior to permission being granted.*
- 6.30. *It is unclear from plans how post deliveries will be managed outside of the buildings opening hours. All buildings should facilitate postal deliveries either via secure external post boxes certificated to DHF TS009, or via through-the-wall post boxes into a container also rated to protect against arson attacks.*

### Lighting

- 6.31. *I am unable to locate any lighting plans within this application, and ask that they are provided prior to permission being granted or secured via the above or similarly worded condition. Lighting throughout the development should meet the general standards of BS5489-1:2020. Bollard lighting used in isolation is not an appropriate lighting method, and should be avoided. Not only can they be damaged by reversing vehicles and vulnerable to criminal damage, more critically they do not provide sufficient light at the right height to aid facial recognition and reduce the fear of crime. It also does not deter crime and antisocial behaviour.*
- 6.32. CDC Landscape:
- 6.33. *This is to ensure that the ownership of the existing formal trees along is clarified with the red line boundary. The shade pattern/impact of the research building on the*

existing Oak trees must be considered given the intention to retain this attractive tree line.

- 6.34. *Formal tree avenue planting on the access road to the west of the application site is welcomed due to the visual mitigation and amenity this provides.*
- 6.35. *In order to mitigate the hard exterior of the northern façade and to reduce the overshadowing of the existing Oak trees and 3 m wide landscape buffer is required with small shade-tolerant trees and shrubs.*
- 6.36. *There is limited structural planting on the eastern and southern boundaries. Each boundary requires a 3 m wide landscape buffer of native trees and shrubs, to provide visual mitigation, amenity and wildlife habitat link to the BNG park. Beech hedging is too formal, requiring regular clipping, and will be difficult to establish in the soils conditions.*
- 6.37. *The developer is to confirm how Zone B connects to Phase 4 and the BNG park through the road and pedestrian and landscape layouts.*
- 6.38. *Trees Design Action Group's tree species selection to ensure right tree/right place is crucial, along with a tree a maintenance schedule in accordance BS8545:2014, contained within the landscape and ecology management plan (LEMP).*
- 6.39. <https://www.tdag.org.uk/tree-species-selection-for-green-infrastructure.html>
- 6.40. *It is important that detailed hard and soft landscape proposals, and tree pit details are required: include Latin names for tree, shrub and perennial species, along with planting positions for trees, planting densities and nursery-supplied sizes; also aftercare proposals for one year prior to activation of the LEMP. This is to ensure that the LA are able to consider whether the landscape proposals are appropriate and acceptable. The correct red line site application boundaries are to be indicated.*
- 6.41. *I am encouraged by the design of the 'landscape finger' swale and trees (Yasa Landscape GA Plan) and would like to see how this work as the route towards the west and also how it links with the Ecopark to the east. Whether it is possible to extend this theme westwards? The meandering cycle and walking route will require good vis splays for cyclists and pedestrians, therefore the ornamental/native planting so kept to medium to allow for views across the route. Also how the swale is connected the proposed drainage system, or just surface water runoff.*
- 6.42. *As for circulation I would recommend other pedestrian path connections (two) between the route and the YASA site to encourage to use of this recreational route from the YASA site without feeling the need to create unsightly desire lines – refer to marked up plan. I would hope the route becomes popular for lunch breaks for site users during the summer months and the route may require more seats to encourage this activity.*
- 6.43. *As for the detailed construction of the route and how the swale crossings work I await this information/detail at the appropriate planning stage.*
- 6.44. *Tree roots (Populus tremula) will spread under the route potentially lifting and breaking the surface unless root deflectors are installed as part of the tree pit detail. Alnus glutinosa tends to lean over as it grows and may not be appropriate near a pedestrian route because of this. I suggest replacing with A. cordata.*

6.45. *I would prefer to see more emphasis on the landscaping of the entrances to Buildings A and B with the inclusion of trees such as Carpinus 'Frans Fontaine' on either side of the entrances.*

6.46. Buckinghamshire Council: *No objection*

6.47. CDC Ecology: *The BNG report show that the habitats being created will provide a net gain in both habitat units (7.76%) and hedgerow units (16.18%). CDC seeks at least a 10% net gain (in line with the local plan and Community Nature Plan). There doesn't seem to be any justification as to why the plans don't include 10% net gain in habitat units. Could this be explained? In our 2020 response, we were happy with the general BNG proposals, but agreed that details could be ironed out at the reserved matters stage. The officer's report from 2020 states, 'it would be reasonable to ensure that a buffer is included within any calculation to account for failed improvement measures and also to seek as high a net gain level as possible taking into account the Council's position to aim to secure a 10% net gain (a position endorsed by the Council's Executive in October 2019) in respect of all new development proposals.' The fact that there is only a 7.76% gain in habitat units means that there isn't a suitable buffer to account for failure – i.e. should the habitats not achieve their target conditions, the net gain in habitat units will be considerably less than 10%.*

## **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 (CLP 2015) was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The CLP 2015 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 2015)

- PSD1: Presumption in Favour of Sustainable Development
- SLE1: Employment Development
- ESD1: Mitigating and Adapting to Climate Change
- ESD2: Energy Hierarchy and Allowable Solutions
- ESD3: Sustainable Construction
- ESD4: Decentralised Energy Systems
- ESD5: Renewable Energy
- ESD6: Sustainable Flood Risk Management
- ESD7: Sustainable Drainage Systems (SuDs)
- ESD5: Renewable Energy
- ESD8: Water Resources
- ESD10: Protection and Enhancement of Biodiversity and the Natural Environment
- ESD15 - The Character of the Built and Historic Environment
- Bicester 4 – Bicester Business Park

### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development



- ENV1: Environmental pollution
- ENV12 - Development on contaminated land

### 7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF, Dec 2023)
- Planning Practice Guidance (PPG)

## 8. APPRAISAL

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

- Principle of development
- Design, and impact on the character of the area
- Landscape
- Transport
- Amenities
- Energy Efficiency and Sustainability
- Drainage
- Biodiversity Net Gain
- Crime Prevention

#### EIA

8.2. The original application was EIA development, and this is a subsequent application and, for completeness, Officers sought a 'statement of conformity' relating to the ES documents for the site.

8.3. The 'statement of conformity' has undertaken a review of Environmental Statement documents and considered the implications of the proposed development on the conclusions therein.

8.4. For these reasons, the EIA is considered adequate for the purposes of considering the information provided for this reserved matters submission and it has been taken into account in considering this subsequent application.

#### Principle of Development

8.5. Policy Bicester 4 allocates this site, and the surrounding arable fields, for a distinctive commercial development with the aim of providing a gateway into Bicester.

8.6. The principle of office/commercial building and research and development use within this parcel of land has also been established by the outline permission 23/01080/OUT, which is in accordance with Policy Bicester 4.

#### Design

8.7. Paragraph 131 of the NPPF states that *'the creation of high-quality buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work, and helps make development acceptable to communities.'*

- 8.8. The National Design Guide (September 2019) is also pertinent and explains, through the use of case studies and examples of good practice, how the Government's expectations for high quality design can be delivered.
- 8.9. Policy Bicester 4 of the Local Plan, as well as requiring any development on this site to comply with the design principles of ESD15, makes clear that any development on the 'Bicester Arc' land should achieve a '*high quality design and finish, with careful consideration given to layout, architecture, materials and colourings and careful consideration given to building heights to reduce overall visual impact*'.
- 8.10. The aforementioned policy ESD15 of the Local Plan opens with:
- 8.11. "*Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.*"
- 8.12. Sitting underneath this paragraph is a list of design criteria, including the requirement for new development to be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. This part of the policy adds that development of all scales should be designed to improve the quality and appearance of an area and the way it functions.
- 8.13. Building A (the office building) comprises 4 storeys with a roof plant on top, partially screened by mesh railings. In design terms, each floor repeats itself up to the top of the building.
- 8.14. In between each floor there will be strips of projecting stretched bricks which help provide visual relief and provide visual interest to the elevations.
- 8.15. The large, rectangular windows, which will be conditioned to be inset are attractive and of an appropriate size.
- 8.16. Both the east and west elevations contain a central Curtain Wall with an Aluminium Framing Colour RAL7009
- 8.17. This mixed elevation treatment helps to create a strong visual accent for this prominent site and therefore this element of the proposals are supported in design terms.
- 8.18. Building B (the R&D building), despite being lower in height, is much larger in scale and occupies a greater ground floor area. Given the scale, it is imperative that this building avoids being functional and sterile in appearance.
- 8.19. The applicants, and the officers, have worked together and, following receipt of several different design iterations, Building B now avoids being a defensive building and, instead, will be of some visual interest.
- 8.20. The north and south elevations are both broken up by a central Curtain Wall with an Aluminium Framing Colour RAL 220 50 15. These two elevations are bookended by three floors of opaque rectangular windows, which is an acceptable design treatment.

- 8.21. The east and west elevations are longer in length and comprise a mixture of buff brickwork, Horizontal Cladding (Insulated Panel: Finish MicroRib Colour RAL 220 50 15) and three floors of rectangle shaped windows which, for security reasons, will be opaque glazed.
- 8.22. The roof will have a very gentle pitch and will comprise insulated cladding with trapezoidal outer profile: Colour Goosewing Grey.
- 8.23. A series of 3D images have also been submitted to demonstrate how the proposed buildings sit in the immediate context and from vantage points further afield. The combination of good hard and soft landscaping (described further below), varied elevational treatment and the siting of the two buildings, means that the overall response to the wider context is acceptable in design terms.
- 8.24. For these reasons, the proposal complies with policy ESD 15 of the Local Plan and the NPPF (December, 2023)

### **Landscape**

- 8.25. Policy Bicester 4 requires development on the site to provide structured open spaces and planting that provides a strong landscape setting.
- 8.24 Similarly, Policy ESD15 requires new development to take the opportunities available to improve the character and appearance of the area and the way it functions.
- 8.26. Based on the Landscape Officer and Planning Officer comments, made during the application, the applicant has provided amended plans showing where landscape elements will be provided for but the detailed plans are to be the subject of a planning conditions with the following changes:
- A deeper landscaping area between the service yard and Lakeview Drive
  - The introduction of individual landscape strips and trees strategically located throughout the car park
  - A greater variety of surface materials to provide different colours and tones and create visual interest and a stronger relationship with the buildings and the wider layout.
- 8.27. A condition is recommended to ensure that strategic landscaping within this phase (as indicated on the approved landscape plan) will be implemented alongside this proposal which is important in achieving the policy requirements of Bicester 4 and to ensure that the route through the site to the proposed eco park is delivered.
- 8.28. These changes represent a significant improvement from the original plans and bring the scheme in line with policies Bicester 4 and ESD15.

### **Transport**

- 8.29. Paragraph 115 of the NPPF, December 2023 states that: *"Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe"*.
- 8.30. Policy ESD15 of the CLP 2031 Part 1 states, amongst other matters, that new development proposals should: be designed to deliver high quality safe...places to live and work in. Policy SLE4 relates to transport and connections. It sets out that

development should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling.

8.31. During the course of the application, the OCC Highways officer, following the submission of revised plans and additional information, withdrew his initial objection.

8.32. The OCC Highways officer is now comfortable with the number of car parking bays (230) and the number of cycle bays (100). He is also now comfortable with the access arrangements. Following a request, a Vehicle Tracking - A swept path drawing (Drawing ref: D104) was submitted. This plan demonstrates that a 16.8m long articulated vehicle can access the delivery yard and is able to exit in forward gear.

8.33. The OCC Highways does, however, have the following concerns:

- He would like further Electric Vehicle Charging Points to be provided to bring the proposal in line with the Oxfordshire Electric Vehicle Infrastructure Strategy
- The provision a suitable crossing by the entrance to the service yard.
- The provision of a suitable crossing by the 3m wide shared facility abutting Phase 2 parcel along Lakeview Drive
- The provision of a suitable crossing link between the footway along the south of the development and the R&D building.
- A proportion of the cycles spaces must include sheffield stands to cater for these variations
- He would prefer the cycle parking facilities to be relocated to areas close to the building entrances, and as provided illustrations on his formal response letter, dated 16/2/2024.

8.34. It is considered that these points can be addressed through the imposition of conditions. Therefore, subject to conditions, this aspect of the development accords with Policy Bicester 4 and ESD 15 of the Local Plan (2015) and the NPPF (Dec, 2023).

### **Amenities**

8.35. The NPPF identifies, as a core planning principle, that planning should always seek a high quality of design and a good standard of amenity for all existing and future occupants of land and buildings.

8.36. This core principle is reflected in Policy ESD15 of the CLP 2011-2031 Part 1, which states that new development proposals should: *“consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space.*

8.37. Given the significant setback between the proposed buildings and the existing neighbouring buildings (Tesco’s to the north, and a public house and residential properties to the east, on the other side of the A41 (Oxford Road), I do not anticipate that this proposal would materially impact on the existing amenities of the neighbours.

8.38. Saved Policy ENV1 of the Cherwell Local Plan 1996 makes clear that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other types of environmental pollution will not normally be permitted. The policy states that the Council will seek to ensure that the amenities of the environment and in particular the amenities of residential properties are not

unduly affected by development proposals which may cause environmental pollution including that caused by traffic generation.

- 8.39. The Council's Environmental Protection Officer has raised no objections to the proposal on grounds of Air Quality or noise.
- 8.40. Therefore, the proposal accords with Policy ESD15 of the Local Plan 2015, Saved Policy ENV1 of the Cherwell Local Plan 1996 and the NPPF (December 2023).

### **Energy Efficiency and Sustainability**

- 8.41. Planning plays a vital role in ensuring that developments minimise their contribution towards climate change. This is recognised by the Government and why one of the NPPF's core principles is that *"the planning system should support the transition to a low carbon future in a changing climate, taking full account of flood risk and coastal change. It should help to: shape places in ways that contribute to radical reductions in greenhouse gas emissions, minimise vulnerability and improve resilience; encourage the reuse of existing resources, including the conversion of existing buildings; and support renewable and low carbon energy and associated infrastructure (paragraph 157)"*.
- 8.42. Cherwell District Council is committed to tackling climate change. For many years Cherwell District Council has been at the forefront of developing and implementing robust and innovative planning policies and standards to tackle climate change. In July 2019 it declared a Climate Change Emergency.
- 8.43. When the 2011-2031 Local Plan was adopted, it strengthened previous planning policies relating to energy in order to ensure that the Council continues to take a robust and ambitious approach to minimising carbon emissions in the district, which is why policies ESD 1 – 5 were introduced.
- 8.44. Moreover, Policy Bicester 4 of the CLP 2031 Part 1 expects development on the allocation to demonstrate climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of Policies ESD 1-5. Policy ESD5 of the CLP 2031 Part 1 requires new commercial development of over 1000sqm floorspace and for new residential development for 100 dwellings or more to provide a feasibility assessment of the potential for significant on-site renewable energy provision. This is expected to then be provided if it is shown to be deliverable and viable. Policy ESD4 of the CLP 2031 Part 1 also requires a feasibility assessment to be carried out for such developments to consider whether District Heating/ Combined Heat and Power could be incorporated.
- 8.45. Policy ESD3 of the CLP 2031 Part 1 requires that all non-residential development will be expected to meet at least BREEAM 'Very Good' standard. It also requires development to reflect high quality design and environmental standards and for water, it is expected that a higher level of water efficiency than required by the Building Regulations be sought to achieve a limit of 110 litres/ person/ per day (this applies to residential uses too).
- 8.46. The application is accompanied by two BREEAM Pre-Assessment Reports (covering the officer and R&D uses). The reports set out the credits that are to be achieved and concludes that, overall, a Very Good rating will be achieved by the proposed development.
- 8.47. Accordingly, the development's sustainability strategy is in line with the Local Plan policies Bicester 4 and ESD 1 – 5, and the NPPF. The information is also sufficient

to comply with conditions 7 and 8 of Outline consent 23/01080/OUT and will be secured by condition to ensure the sustainability strategy is implemented.

### **Drainage**

- 8.48. Policy ESD8 of the Cherwell Local Plan 2011-2031 Part 1, which promotes sustainability in water use, states that development will only be permitted where adequate water resources exist, or can be provided without detriment to existing uses. Policy ESD6 relates to sustainable flood risk management and Policy ESD7 relates to the use of sustainable drainage systems (SUDs).
- 8.49. As part of this application, the applicants have included (in Appendix C of the Planning Statement) a surface water drainage strategy for the development. It explains that the strategy is to discharge to the adjacent private surface water drainage network located in Lakeview Drive at a greenfield rate of 9.47l/s/ha and which ultimately outfalls to Langford Brook.
- 8.50. It also advises that permeable paving will be included to all the parking areas and a number of geocellular tanks will act as the means of attenuating the peak flows.
- 8.51. Both CDC Drainage and OCC Flood officers have been consulted as part of this application and raised no objection to the drainage strategy. Therefore, this aspect of the proposal is in accordance with policies ESD6, ESD7, ESD8 and Policy Bicester 4 of the Local Plan. The information submitted is sufficient to ensure compliance with conditions 9 and 10 of Outline consent 23/01080/OUT.

### **Biodiversity Net Gain**

- 8.52. With regard to Biodiversity Net Gain, the NPPF requires new development to minimise impacts on biodiversity and provide net gains in biodiversity, where possible. Local planning authorities are required to conserve and enhance biodiversity when determining planning applications and take opportunities to incorporate biodiversity in and around developments.
- 8.53. Policy ESD10 of the CLP 2031 Part 1 also requires that development proposals will conserve, enhance and extend biodiversity, provide for net gains in biodiversity, where possible, minimise any adverse impacts and compensate where impacts cannot be mitigated. To this end, the Council would be keen to ensure that all opportunities to incorporate measures to enhance biodiversity are designed into the proposals. A 10% net gain should be the target and this has since become a mandatory requirement for new applications post February 2024.
- 8.54. This development, in conjunction the Eco-Park, will achieve an overall BNG of 11%. The wider masterplan, as each parcel is developed out, will lead to an increased BNG percentage, although the final total is not known at this stage.
- 8.55. Therefore, the proposal complies with Policies Bicester 4 and ESD10 of the CLP 2031 Part 1 and the NPPF. The information submitted is sufficient to ensure compliance with condition 12 of Outline consent 23/01080/OUT.

### **Crime Prevention**

- 8.56. The Thames Valley Police Designing Out Crime Officer strongly recommends that any application incorporates the guidance of Secured by Design – Commercial 2023. This will be secured via condition. This is to ensure that all new commercial development and associated parking facilities are designed in accordance with the requirements laid out in this guidance.

### **Other Matters**

- 8.57. The applicants, in accordance with condition 6 of 23/01080/OUT, have submitted drawing D105 Rev B which depicts existing and proposed floor levels. This information satisfies that condition.

## **9. PLANNING BALANCE AND CONCLUSION**

- 9.1. The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
- 9.2. The proposal sits within the 2024 outline consent (23/01080/OUT) and has been developed in line with approved parameter and phasing plans and site wide strategies and overarching site allocation policy. It has also evolved further through detailed discussions with technical officers at the local authority. Through assessment of the application, it is considered that the proposal complies with the approved development plan and is, therefore, recommended for approval.

## **10. RECOMMENDATION**

That permission is granted, subject to the following conditions:

### **Approved Plans**

1. The development shall not be occupied until the area of landscaping hatched green as shown on drawing number F141 Rev B within Phase 1B (but outside this reserved matters area) has been delivered.

Reason: To ensure the delivery of strategic landscaping alongside the delivery of the proposed development in accordance with Policy Bicester 4.

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

D100 Zone B Location Plan  
D101G Zone B Block Plan  
D103G Zone B Site Layout Plan  
D104 Zone B Vehicle Tracking Layout  
D105B Zone B Proposed Site and Floor Levels  
D111F Zone B Hard Landscaping Plan  
A101E Office Proposed Ground Floor Plan  
A102E Office Proposed First Floor Plan  
A103D Office Proposed Second Floor Plan  
A104D Office Proposed Third Floor Plan  
A105F Office Proposed Roof Plan  
A106E Office Typical Sections  
A110E Office South East and North East Elevations  
A111E Office North West and South West Elevations  
A112B Office Energy Centre  
B101F Research and Development Ground Floor Plan  
B102G Research and Development Elevations and Section  
B103C Research and Development Roof Plan  
F100 Ecopark BNG Masterplan  
F141 REV B – Planning Phases Site Plan

082005-CUR-XX-XX-DR-C-92010\_P04 - Site Wide Drainage Strategy Plan  
082005-CUR-XX-DR-C-92001\_P04 - Drainage Strategy Plan  
Drainage Strategy Technical Note, dated 16 August 2023  
Odour Assessment, April 2023 (prepared by Air Quality Consultants)  
Energy and Sustainability Statement (Office)  
Energy and Sustainability Statement (R & D Building)  
Ecology Technical Note  
Ecology Appraisal  
Phase 1 Geo Environmental Assessment, dated 26.4.2023  
Phase 2 Geo Environmental Assessment, dated 26.4.2023  
Planning Statement and associated appendices

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 within the National Planning Policy Framework.

### **Sample of Materials**

3. No development of the building and associated structures above slab level, with the exception of underground enabling works, shall take place until samples including sample panels of the materials to be used in the construction of the external surfaces has been prepared on site for inspection and approved in writing by the Local Planning Authority. The samples and panels shall be at least 2.5m x 2.5m and show the proposed palette of materials (including plant screening, metal cladding, brickwork/masonry, etc.) to be used in the development. The development shall be constructed in accordance with the approved samples, which shall not be removed from site until the completion of the development.

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.

### **Cycle Parking Facilities**

4. No development above slab level shall commence until details of the covered cycle parking facilities have been 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 provided prior to first occupation of the development and shall be permanently retained and maintained for the parking of cycles in connection with the development.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

### **EV Charging Points**

5. Prior to the first occupation of the development, a scheme for the provision of vehicular electric charging points to serve the development shall be submitted to and approved in writing by the Local Planning Authority. The vehicular electric charging points shall be provided in accordance with the approved details prior to the first occupation of any part of the development, and retained as such



thereafter.

Reason - To comply with Policy EVI 8 of Oxfordshire's Electric Vehicle Infrastructure Strategy and Policies ESD 1 and ESD 5 of the adopted Cherwell Local Plan and to maximise opportunities for sustainable transport modes in accordance with paragraph 110(e) of the National Planning Policy Framework.

### **Pedestrian and Cyclist means of access**

6. No development above slab level shall commence unless and until full details of the walking and cycling connections between the development and existing infrastructure including, crossings and their positions and layout have been submitted to and approved in writing by the Local Planning Authority. These details should be in accordance with the illustration in the Oxfordshire County Council's consultation response dated 16.2.2024. The means of access shall be constructed in accordance with the approved details prior to the first occupation of any part of the development and shall be retained and maintained as such thereafter.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

### **Lighting**

7. Prior to the first occupation of the development, an external lighting scheme (including management and maintenance) shall be submitted to and improved in writing by the Local Planning Authority. External lighting shall be implemented in accordance with the approved scheme prior to the first occupation of the development.

Reason: To enable the Local Planning Authority to retain planning control over the development of this site, and to protect biodiversity in accordance with Policies Bicester 4 and ESD10 of the Cherwell Local Plan Part 1 2011-2031, Policy C28 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

### **Landscaping**

8. A scheme for landscaping the site shall be submitted 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, 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, including details of their protection during development

(c) details of the hard landscaping including hard surface areas, pavements, pedestrian areas and steps.

Such details shall be provided prior to the development progressing above slab level or such alternative time frame as agreed in writing by the developer and the Local Planning Authority. The approved scheme shall be implemented by the

end of the first planting season following occupation of the development.

Reason: To ensure that a satisfactory landscape scheme is provided in the interest of 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.

9. Upon completion of the approved landscaping scheme, any trees or shrubs that are removed, dying, being severely damaged or becoming seriously diseased within five years of planting shall be replaced with trees or shrubs of such size and species as may be agreed in writing with the Local Planning Authority, and within whatever planting season is agreed.

Reason: In the interests of the visual amenities of the area and encouraging wildlife and biodiversity in accordance with Policies ESD10 and ESD13 of the Cherwell Local Plan Part 1 2011-2031 and Government guidance within the National Planning Policy Framework.

### **Bat and Boxes**

10. Details of bird and bat nesting boxes/ bricks shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development above slab level. The details shall include the exact location, specification, and design of the habitats. The boxes / bricks shall be installed within the development prior to the first occupation of the building to which they form part or the first use of the space in which they are contained. The nesting boxes/ bricks shall be installed strictly in accordance with the details so approved, and shall be maintained as such thereafter.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

### **Secure by Design**

11. Prior to the commencement of development above slab level, an application shall be made for Secured by Design Commercial accreditation on the development hereby approved. The development shall be carried out in accordance with the approved details, and shall not be occupied or used until confirmation of SBD accreditation has been received by the Local Planning Authority.

Reason: To protect the security and safety of the future occupiers.

### **Windows inset**

12. Details of the window reveals on Buildings A and B, which shall be a minimum of 150mm deep, shall be submitted to and approved in writing by the Local Planning Authority prior to the construction of the development above slab level. The development shall thereafter be completed in accordance with the approved details.

Reason – To ensure that the windows 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.

13. Prior to the construction of any building above slab level, details of the materials and measures to be used to increase energy efficiency and thermal performance and reduce carbon emissions including the provision of renewable energy measures including PV shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme of materials and measures and the provision of renewable energy measures shall be installed prior to the first occupation of the building.

Reason: To encourage the use of renewable and low carbon energy in accordance with Policy ESD5 of the Cherwell Local Plan 2011-2031 Part 1.

14. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no gate, fence or other means of enclosure shall be erected, constructed or placed on the site (other than those shown in the approved plans) without the express planning consent of the Local Planning Authority.

Reason - To ensure that satisfactory provision for vehicular turning within the site is maintained in the interests of highway safety and to ensure the satisfactory appearance of the 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.

Planning Note

EIA Subsequent application

Attention drawn to outline permission

Case Officer: Tom Webster

DATE: 28.3.2024

Checked By: Caroline Ford

DATE: 28/03/2024

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