

EDGARS

Cherwell District Council
Planning Services
Bodicote House
Bodicote
Banbury
OX15 4AA

Our reference: 689/3791

Planning Portal reference: PP-12611626

Date: 5th December 2023

Dear Sir / Madam,

DISCHARGE OF CONDITIONS 4 (PHASING PLAN), 5 (DESIGN CODE), 6 (FINISHED FLOOR LEVELS), 11 (CONSTRUCTION TRAVEL MANAGEMENT PLAN), 12 (TURNING AREA DETAILS), 13 (PARKING PROVISION), 16 (SURFACE WATER DRAINAGE), 17 (FOUL WATER), 18 (CONTAMINATION), 19 (REMEDIATION SCHEME), 23 (LANDSCAPE AND ECOLOGY MANAGEMENT PLAN), 24 (ECOLOGY CHECK), 27 (EV CHARGING) AND 30 (ENERGY STRATEGY) OF APPLICATION 23/01941/F AT THE INNOVATION QUARTER, BICESTER MOTION

On behalf of the applicant, Bicester Motion, Edgars hereby submits this application which seeks permission for the discharge of the conditions 4, 5, 6, 11, 12, 13, 16, 17, 18, 19, 23, 24, 27 and 30 attached to application 23/01941/F.

This submission follows the approvals of applications 19/02708/OUT and 23/01941/F.

Outline planning permission was approved under application 19/02708/OUT for 'Outline:- Provide new employment units comprising B1 (Business), B2 (General Industrial), B8 (Storage) and D1 (Education) uses with ancillary offices, storage, display and sales, with all matters reserved except for access' on the 27th August 2021.

Subsequently, planning permission was approved under Section 73 application 23/01941/F for the 'variation of Condition 3 (plans) of 19/02708/OUT - To vary the approved parameter plans' on the 12th October 2023.

Table 1 sets out each of the conditions which this application seeks to discharge, and the information submitted in order to discharge those conditions.

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Table 1: Condition wording and associated submitted information.

Condition Wording	Information Submitted for Discharge
<i>Condition 4 – Phasing Plan</i>	
<p>No development shall take place until a phasing plan covering the entire application site has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved phasing plan and each reserved matters application shall only be submitted in accordance with the terms of the approved phasing plan and refer to the phase (or phases) it relates to as set out in the approved phasing plan.</p>	<ul style="list-style-type: none"> • Proposed Site Plan Phasing (Ref. 220127-3DR-ZZ-00-DR-A-10016_P04) • Proposed Site Plan Phase 1 (Ref. 220127-3DR-ZZ-00-DR-A-10017_P04).
<i>Condition 5 – Design Code</i>	
<p>Prior to the submission of any reserved matter application, a Design Code shall be submitted to and approved in writing by the Local Planning Authority covering at least such matters as the distribution of land uses, forms of buildings, identification of building frontages, materials, boundary treatment positions and types, strategic landscape, servicing, parking and sustainability features. Thereafter the reserved matters shall be made in accordance with the agreed Design Code.</p>	<ul style="list-style-type: none"> • Detailed Design Code (Ref. 220127-3DR-XX-XX-RP-A-09024_P04).
<i>Condition 6 – Finished Floor Levels</i>	
<p>No development shall take place until details of all finished floor levels in relation to existing and proposed site levels and to the adjacent buildings have been submitted to and approved in writing by the Local Planning Authority. The development hereby permitted shall be constructed in accordance with the approved levels.</p>	<ul style="list-style-type: none"> • Site & Finished Floor Levels (Ref. 220127-3DR-ZZ-00-DR-A-08006_P05).
<i>Condition 11 – Construction Travel Management Plan (CTMP)</i>	
<p>No development shall take place until a Construction Travel Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. The CTMP shall include the following:</p> <ul style="list-style-type: none"> • The CTMP must be appropriately titled, include the site and planning permission number. 	<ul style="list-style-type: none"> • BM Innovation Quarter CTMP Rev 1.



- Routing of construction traffic and delivery vehicles is required to be shown and signed appropriately to the necessary standards/requirements. This includes means of access into the site.
- Details of and approval of any road closures needed during construction.
- Details of and approval of any traffic management needed during construction.
- Details of wheel cleaning/wash facilities – to prevent mud etc, in vehicle tyres/wheels, from migrating onto adjacent highway.
- Details of appropriate signing, to accord with the necessary standards/requirements, for pedestrians during construction works, including any footpath diversions.
- The erection and maintenance of security hoarding / scaffolding if required.
- A regime to inspect and maintain all signing, barriers etc.
- Contact details of the Project Manager and Site Supervisor responsible for onsite works to be provided.
- The use of appropriately trained, qualified and certificated banksmen for guiding vehicles/unloading etc.
- No unnecessary parking of site related vehicles (worker transport etc) in the vicinity – details of where these will be parked, and occupiers transported to/from site to be submitted for consideration and approval. Areas to be shown on a plan not less than 1:500.
- Layout plan of the site that shows structures, roads, site storage, compound, pedestrian routes etc.
- A before-work commencement highway condition survey and agreement with a representative of the Highways Depot – contact 0845 310 1111. Final correspondence is required to be submitted.
- Local residents to be kept informed of significant deliveries and liaised with through the project. Contact details for person to whom issues should



<p>be raised with in first instance to be provided and a record kept of these and subsequent resolution.</p> <ul style="list-style-type: none"> • Any temporary access arrangements to be agreed with and approved by Highways Depot. • Details of times for construction traffic and delivery vehicles, which must be outside network peak and school peak hours. 	
<p><i>Condition 12 – Turning Area</i></p>	
<p>No development shall take place until full specification details (including construction, layout, surface finish and drainage) of the turning areas which shall be provided within the curtilage of the site so that motor vehicles, including HGVs, refuse vehicles and fire tenders may enter, can turn and leave the site in a forward direction, have been submitted to and approved in writing by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the turning area shall be constructed in accordance with the approved details and shall always be retained for the manoeuvring of motor vehicles thereafter.</p>	<ul style="list-style-type: none"> • Phase 1 – Turning Area (Ref. 220127-3DR-ZZ-XX-DR-A-10021_P03) • Phase 2 – Turning Area (Ref. 220127-3DR-ZZ-XX-DR-A-10022_P01).
<p><i>Condition 13 – Parking Provision</i></p>	
<p>No development shall take place until a plan showing car parking provision for an agreed number of spaces to be accommodated within each phase of the development as identified by condition 4 above, to include layout, surface details, and drainage, has been submitted to and approved in writing by the Local Planning Authority. The number of spaces to be provide shall be based on an indicative breakdown of the Gross Internal Area (GIA) between the proposed land uses and in line with the County Council's car parking standards. Thereafter, and prior to the first occupation of the development, the parking spaces shall be laid out, surfaced, drained and completed in accordance with the approved details and shall be retained for the parking of vehicles at all times thereafter.</p>	<ul style="list-style-type: none"> • Proposed Site Plan – Parking Phase 1 (ref. 220127-3DR-ZZ-00-DR-A-10018_P03) • Proposed Site Plan – Parking Phasing 1 & 2 (Ref. 220127-3DR-ZZ-00-DR-A-10019_P03)
<p><i>Condition 16 – Surface Water Drainage</i></p>	
<p>No development shall take place until a detailed design and associated management and maintenance plan of surface water drainage for the site using sustainable drainage methods, to include a fully detailed list of all</p>	<ul style="list-style-type: none"> • Technical Design Report (Ref. 27280-HYD-XX-XX-RP-C-7000).



<p>SuDS features to be used on site, has been submitted to and approved in writing by the Local Planning Authority.</p> <p>The detailed design shall be based on the principles as set out in: Ridge Flood Risk and Drainage Assessment, 12th November 2019. 5002854-RDG-XX-ST-PL-C-0503-B-F.A.S.T. - Surface Water Drainage DRAWING 5002854-RDG-XX-XX-DOC-C-0552 App D SW Drainage Strategy 5002854- RDG-XX-XX-DOC-C-0552 App E Source Control Calc 5002854-RDG-XX-XX-DOC-C-0552-3.0- F.A.S.T. - Flood Risk and Drain REPORT and shall include:</p> <ul style="list-style-type: none">a) Information about the design storm period and intensity (1 in 30 & 1 in 100 (+40% allowance for climate change), discharge rates and volumes (both pre and post development), temporary storage facilities, means of access for maintenance, the methods employed to delay and control surface water discharged from the site, and the measures taken to prevent flooding and pollution of the receiving groundwater and/or surface waters;b) Any works required off-site to ensure adequate discharge of surface water without causing flooding or pollution (which should include refurbishment of existing culverts and headwalls or removal of unused culverts where relevant);c) Flood water exceedance routes, both on and off site;d) A timetable for implementation;e) Site investigation and test results to confirm infiltrations rates. <p>The surface water drainage scheme shall be implemented in accordance with the approved detailed design prior to the first use of any building commencing and shall be managed and maintained thereafter in accordance with the agreed management and maintenance plan.</p>	
<p><i>Condition 17 – Foul Water</i></p>	
<p>No buildings hereby permitted shall be brought into use until confirmation has been provided in advance and in writing to the Local Planning Authority that either:</p> <ul style="list-style-type: none">a) all water and wastewater network upgrades required to accommodate the additional flows from the development have been completed; or	<ul style="list-style-type: none">• Technical Design Report (Ref. 27280-HYD-XX-XX-RP-C-7000).



<p>b) an infrastructure phasing plan has been agreed with Thames Water to allow additional business units to first be bought into use. Where an infrastructure phasing plan is agreed no use of the buildings shall take place other than in accordance with the agreed infrastructure phasing plan.</p> <p>Thereafter, the approved water infrastructure improvement works shall be implemented in accordance with the approved details unless otherwise agreed in writing by the Local Planning Authority.</p>	
<p><i>Condition 18 – Contamination</i></p>	
<p>Prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation (Stage 2 contaminated land report) in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.</p>	<ul style="list-style-type: none"> • Desk Study Review & Ground Investigation Report (Ref. 27280-HYD-XX-XX-RP-GE-1001_P02_Bicester_Motion_DS_Review and GIR).
<p><i>Condition 19 – Scheme of Remediation</i></p>	
<p>If contamination is found by undertaking the work carried out under condition 18, prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.</p>	<ul style="list-style-type: none"> • Remediation Strategy and Verification Plan • (Ref. 27280-HYD-XX-XX-RP-GE-3001-S2-P02_RSVP_Bicester Motion)
<p><i>Condition 23 – Landscape and Ecology Management Plan (LEMP)</i></p>	
<p>No development shall take place until a Landscape and Ecology Management Plan (LEMP) including a timetable</p>	<ul style="list-style-type: none"> • Landscape and Ecology Management Plan



<p>for its implementation has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the LEMP shall be carried out in accordance with the approved details.</p>	<p>(Ref. 1395-SP-03 Landscape and Ecology Management Plan)</p>
<p><i>Condition 24 – Site Walk Over</i></p>	
<p>Prior to, and within two months of, the commencement of the development, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.</p>	<ul style="list-style-type: none"> • Site Walkover Note (Ref. 7884M.IQ Updated Site Walkover.vf)
<p><i>Condition 27 – EV Charging</i></p>	
<p>Prior to the commencement of the development of any phase, full details of Electric Vehicle Charging (EVC) points and EVC infrastructure to be provided in that phase shall be submitted to and approved in writing by the Local Planning Authority. The Electric Vehicle Charging (EVC) points and EVC infrastructure shall be installed and operational prior to the first use or occupation of any building within that phase of the development hereby permitted and retained thereafter, unless otherwise agreed in writing by the Local Planning Authority.</p>	<ul style="list-style-type: none"> • Proposed Site Plan – Parking Phase 1 (Ref. 220127-3DR-ZZ-00-DR-A-10018_P03) • Proposed Site Plan – Parking Phasing 1 & 2 (Ref. 220127-3DR-ZZ-00-DR-A-10019_P03).
<p><i>Condition 30 – Energy Strategy</i></p>	
<p>No development shall take place until a shell only building fabric Energy Strategy has been submitted to and approved in writing by the Local Planning Authority. This should include proposals to minimise energy demand, maximise energy efficiency, and generate energy from renewable energy sources. It should also propose ways in which carbon emissions will be minimised and low carbon measures be embodied into the proposals. Prior to the occupation of any phase of the development (as set out in condition 4 above) a more detailed energy strategy shall be submitted and approved in writing by the Local Planning Authority. The development shall be completed and maintained in accordance with the approved strategy unless otherwise agreed in writing by the Local Planning Authority.</p>	<ul style="list-style-type: none"> • Energy Strategy (Ref. 24223-HYD-XX-XX-RP-Y-5002 Energy Strategy & Part L report P03)



Planning Policy

Section 38(5) of the Levelling-Up and Regeneration Bill requires that planning applications be determined in accordance with the development plan and any national development management policies, taken together, unless material considerations strongly indicate otherwise.

Subsection (5C) clarifies that where the development plan conflicts with a national development management policy, the conflict must be resolved in favour of the national development management policy.

For the purposes of assessing this application, the development plan comprises the following documents:

- The Cherwell Local Plan 2011 – 2031 (adopted July 2015)
- The saved policies of the Cherwell Local Plan 1996 (adopted November 1996)

The following documents are material considerations relevant to the assessment of this application:

- National Planning Policy Framework (NPPF) (published September 2023)
- National Planning Practice Guidance (NPPG) (published July 2019)
- Cherwell Local Plan 2040 (emerging)
- RAF Bicester Planning Brief and Draft Development Principles (2009);
- RAF Bicester Conservation Area Appraisal (2008)

The relevant sections and policies of the development plan documents and relevant material considerations are listed at **Table 2** below.

Table 2: Relevant Planning Policy.	
Document	Policy / Paragraph
Cherwell Local Plan 2011 – 2031: Part 1	Policies PSD1, Bicester 8, SLE1, SLE3, SLE4, BSC7, ESD1, ESD2, ESD3, ESD4, ESD5, ESD6, ESD7, ESD10, ESD13, ESD15, ESD17 and INF1.
Cherwell Local Plan 1996	Policies TR1, C1, C2, C4, C5, C7, C23, C25, C28 and ENV12.
National Planning Policy Framework (NPPF)	Sections 2, 4, 6, 8, 9, 11, 12, 14, 15 and 16. Paragraphs 8, 11, 38, 39, 41, 81, 83, 92, 105, 110, 111, 112, 113, 119, 120, 126, 130, 132, 174, 180, 189, 194, 199, 202, 203 and 206.

Planning Assessment

This section provides a review of the submitted technical documentation and explains how it accords with the relevant planning policies of the Local Plan, and other material considerations.



Condition 4 (Phasing Plan)

Policy ESD 15 (The Character of the Built and Historic Environment) expects development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All development is required to meet high standards and should respect the historic environment including conservation areas and listed buildings.

Policy Bicester 8 (Former RAF Bicester) reinforces this requirement and clarifies that development at former RAF Bicester is to be conservation-led, meaning that it is what is appropriate for the site in terms of heritage related issues that must be at the forefront at all times.

Policy INF 1 (Infrastructure) outlines that the Council will ensure the delivery of infrastructure to support the District's growth through identifying infrastructure needs and costs, phasing of development, funding sources and responsibilities for delivery.

Condition 4 was attached to the decision notice to ensure that the proper phased implementation of the development and associated infrastructure. The Innovation Quarter will be delivered in two phases.

Phase 1 consists of Buildings 401 and 402, 100 parking spaces (comprised of 20 EV parking spaces, 5 DDA / EV parking spaces, 9 DDA parking spaces and 66 parking spaces) and associated infrastructure. This phase of the development will be served by the existing access along Skimmingdish Lane. The Phase 1 development area (including the built form, access, parking and landscaping) is depicted at **Figure 1**.

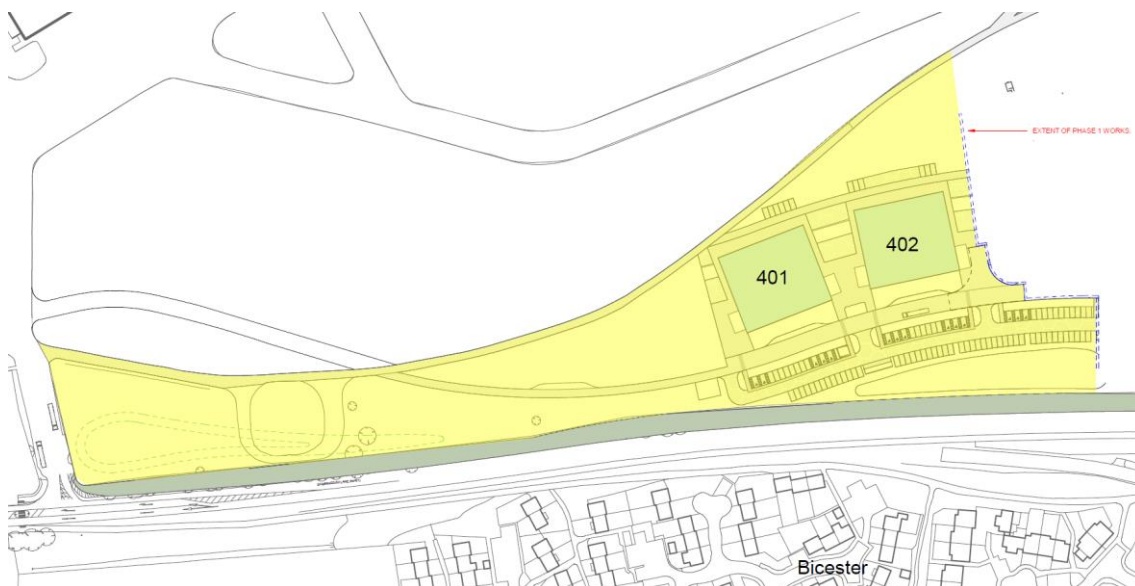


Figure 1: Proposed phase 1 site plan (extract from drawing ref. 220127-3DR-ZZ-DR-A-10017_P04).

Phase 2 will consist of Buildings 403, 404, 405, 406 and 407, 248 parking spaces (comprised of 55 EV parking spaces, 8 DDA / EV parking spaces, 23 DDA parking spaces and 162 parking spaces) and associated infrastructure – including the new access from Skimmingdish Lane. The Phase 2 development area is depicted at **Figure 2**.

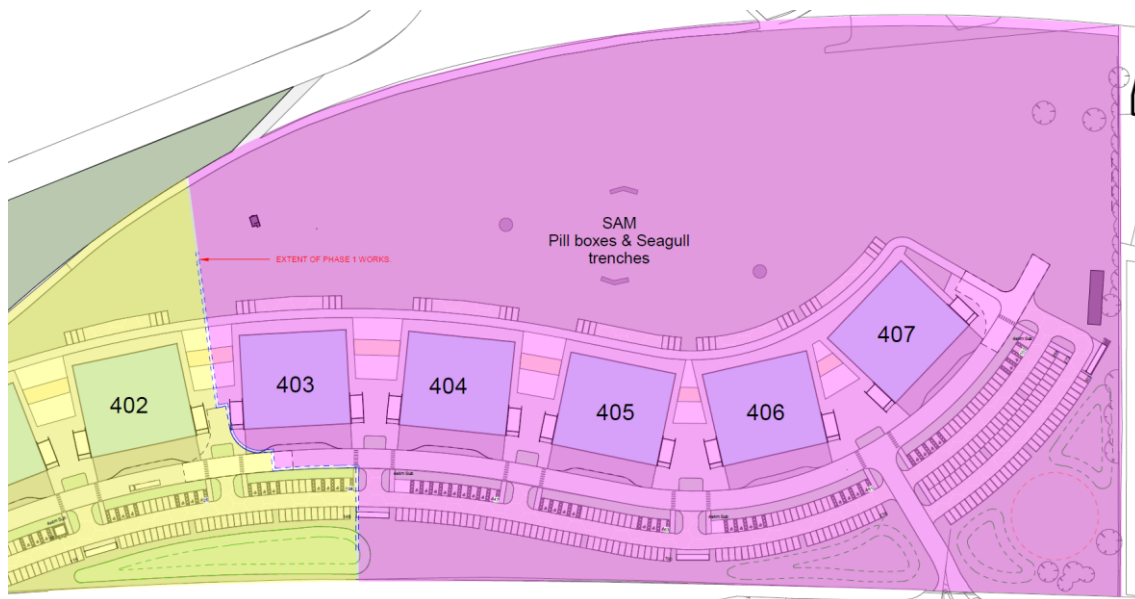


Figure 2: Proposed phase 2 plan (extract from drawing ref. 220127-3DR-ZZ-00-DR-A-10016_P04).

It is considered that the proposed phasing plan will ensure that the necessary supporting infrastructure and facilities are in place to support the implementation of buildings 401 and 402, and 403, 404, 405, 406 and 407 respectively. As such, it is considered that the proposed development is in accordance with policy INF1 that ensures the delivery of infrastructure to support phasing of development, as well as Policies ESD15 and Bicester 8.

Condition 5 (Design Code)

Policy ESD 13 (Local Landscape Protection and Enhancement) outlines that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape cannot be avoided.

Policy ESD 15 (The Character of the Built and Historic Environment) expects development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All development is required to meet high standards and should respect the historic environment including conservation areas and listed buildings.

Policy Bicester 8 (Former RAF Bicester) reinforces this requirement and clarifies that development at former RAF Bicester is to be conservation-led, meaning that it is what is appropriate for the site in terms of heritage related issues that must be at the forefront at all times.

Condition 5 was attached to the decision notice to ensure a high quality and cohesive design approach be secured in the form of a Design Code (particularly should the formal proposals for each of the 7 approved buildings come forward separately). As required by the condition wording, the Design Code details the distribution of land uses, building forms, building frontages, materials, boundary treatment position and types, strategic landscape, servicing, parking and sustainability features.

The Design Code (ref. 22017-3DR-XX-XX-RP-A-09024_P04) provides the following details:

- Character analysis of the wider Bicester Motion site;



- Drawings and 3D renders detailing the distribution of land, the building footprints, the forms of the buildings and the building frontages;
- Images presenting the existing look and feel of Bicester Motion, and the precedents that have been established;
- Drawings showing the elevations and materiality of the elevations;
- The landscape masterplan and associated details, such character areas and planting;
- The parking strategy, which is further elaborated upon in the details submitted in relation to conditions 13 and 27;
- The servicing strategy; and
- The sustainability strategy.

The Design Code establishes a common architectural language that is formed of three key components:

- Having reverence for and taking inspiration from the military aviation forms and function of the historic airfield (notably through the hanger-inspired building forms, scale and shell structure);
- Reflecting the ambitious vision of The Innovation Quarter as the hub of excellence for the past, present and future of mobility technology (with this being reflected by the elegant and sleek appearance of the buildings, their distinctive geometry, contemporary high-quality aesthetic and modern materials palette); and
- Reflecting the sustainable design and construction of the buildings, their adaptability and the wider low-carbon future for the site (reflected in the contemporary design features, materials palette and solar PV roof array).

The Design Code includes a Landscape Masterplan which broadly aligns with the approved Open Space / Landscape parameter plan. It should be noted that the parking area has been reconfigured from a series of immediately adjoining parking courts to a winding run of parking spaces, interspersed by landscaping. This change has been made in order to better reflect the soft arc layout and to allow for a greater and uninterrupted landscape buffer to be provided along the site frontage.

The Landscape Masterplan celebrates the site's historic legacy, reintroduces nature and a multi-functional landscape and creates a green environment to foster creativity. The Masterplan is informed by six principles relating to character areas, connections, SuDS, amenity spaces, heritage and multi-functional spaces and it comprises three character areas:

- The Airfield Heritage Gateway – which includes the creation of the Ecology Enhancement Area (through the retention and enhancement of the existing grassland) and linking the existing Defence Structures by mown footpaths.



- The Innovation Buildings – which involves introducing amenity lawns and street trees in the gaps between the buildings and immediately adjoining the side elevations bookending the development; and
- The Skimmingdish Lane Boundary – which adopts a more natural landscape; it reinforces the existing planting along the site frontage with woodland planting and accommodates the blue and green Sustainable Drainage System (SuDS) infrastructure (including the attenuation basins and swales), which is interplanted by more water-suited specimens.

Overall, the Landscape Masterplan respects the sweeping open nature, long views and grassland character of the scheduled monument area and the Flying Field. In addition, it softens the scheme, integrates it into the landscape and helps to achieve a net gain in biodiversity through the provision of the 2.87-hectare Ecology Enhancement Area, extensive planting, green amenity spaces and a landscape-integrated SuDS.

The access, parking, servicing and sustainability strategy elements of the code all reflect high quality design and align with the details submitted in respect of conditions 13 (Parking Provision), 23 (Landscape Ecology Management Plan), 27 (EV Charging) and 30 (Energy Strategy) which all comply with the relevant development plan policy.

Having regard to the above, the Design Codes (including the Landscape Masterplan within) ensures that the 7 approved buildings and their associated access and landscaping proposals work collectively in order to ensure a high quality and cohesive design solution. As such, the Design Code provides the details required as part of condition 5. It also provides details on how the Innovation Quarter will deliver a conservation-led, high-quality led development in accordance with Policies ESD13, ESD15 and Bicester 8. Resultantly, it is considered that condition 15 can be discharged.

Condition 6 (Finished Floor Levels)

Policy ESD 13 (Local Landscape Protection and Enhancement) outlines that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape cannot be avoided.

Policy ESD 15 (The Character of the Built and Historic Environment) expects development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All development is required to meet high standards and should respect the historic environment including conservation areas and listed buildings.

Policy Bicester 8 (Former RAF Bicester) reinforces this requirement and clarifies that development at former RAF Bicester is to be conservation-led, meaning that it is what is appropriate for the site in terms of heritage related issues that must be at the forefront at all times.

Section 12 (Achieving well-design places) of the NPPF outline that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve.

Condition 6 was included as part of the decision notice in order to safeguard the visual amenities of the area by agreeing finished floor levels.



The submitted Site & Finished Floor Levels plan (an extract of which is copied at **Figure 3**), shows that the proposed finished floor levels will match those of the Building Height & Massing Parameter Plan and as described within the Design & Access Statement Addendum as submitted and approved as part of application ref. 23/01941/F. As noted as part of that document, “appropriate building height parameters have been established, considering the challenges and opportunities outlined in the consented scheme. The site naturally rises from east to west – starting from 74.3m and reaching 76.0m. The buildings has been carefully arranged and shaped to provide suitable surface opportunities for visibility and branding. The resulting seven buildings have a clear height of 10.5m above FFL.”

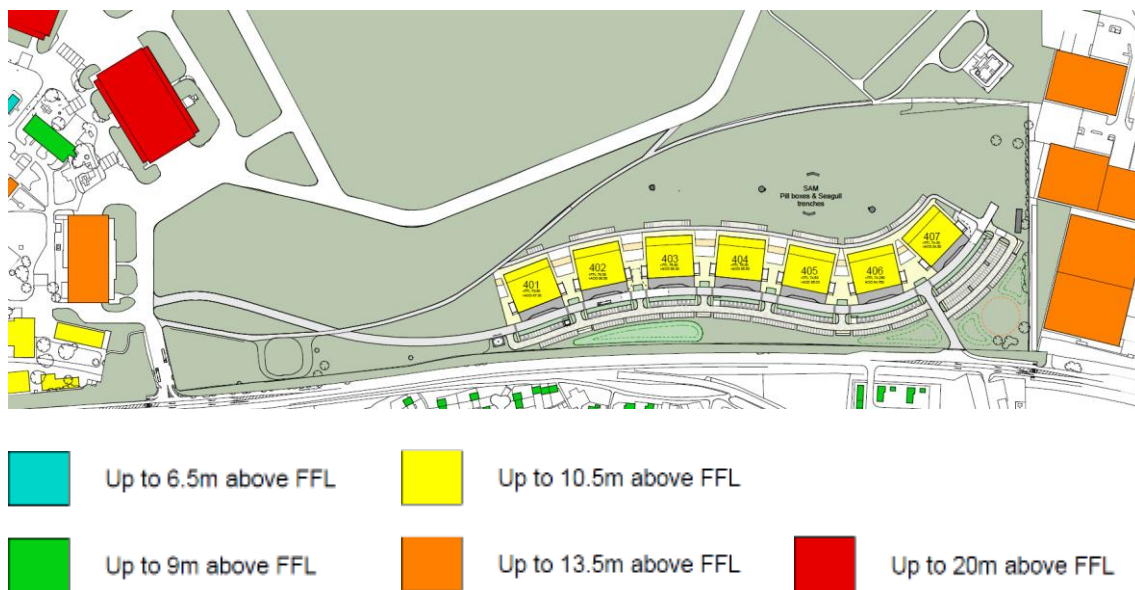


Figure 3: Extract from the site and finished floor levels plan.

It is therefore considered that the proposed finished floor levels are of an appropriate height to preserve the visual amenity of the area, with the Innovation Quarter sitting at a lower height than the neighbouring commercial units and a lower height than the larger aircraft hangars situated within the historic Technical Site.

As such, the proposed finished floor levels are in accordance with Policies ESD13, ESD15 and Bicester 8 as it provides demonstrates that the Innovation Quarter will deliver a conservation-led, high-quality led development. It is therefore considered that condition 6 can be discharged.

Condition 11 (Construction Travel Management Plan (CTMP))

Policy ENV1 (Pollution Control) of the saved Local Plan 1996 outlines 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.

Additionally, Policy ESD 15 (The Character of the Built and Historic Environment) of the adopted Local Plan outlines that new development should consider the amenity of both existing and future development.



Condition 11 was included in the decision notice in the interests of highway safety and to mitigate the impact of construction vehicles on the surrounding network, road infrastructure and local residents, particularly at peak traffic times.

The Construction Travel Management Plan (CTMP) submitted as part of this application provides details on the following elements of construction travel management:

- The scope of the works
- Contact details of the site staff
- Traffic arrangements, including:
 - Site access
 - Site fencing
 - Vehicle movement on the site
 - Loading and unloading of plant and materials
 - Pedestrian movements on site
 - Vehicle / pedestrian segregation
 - Signage requirements
 - Banksman requirements
 - Public highway and site environment maintenance
 - Road closures and traffic management
- Responsibilities
- Traffic Management Plan
- Site Logistics Plan
- Plant Parking, Fuelling Station and Spill Kit Plan
- Site Compound Plan
- Waste Management Plan
- Area Plan
- Ecology

It is considered that the CTMP meets the requirements as set out within condition 11 as it provides details on how highway safety will be maintained and how the impact of construction vehicles will be mitigated as required by Policies ENV1 and ESD15. It is therefore considered that condition 11 can be discharged.

Condition 12 (Turning Area Details)

Policy ESD 15 (The Character of the Built and Historic Environment) expects development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All development is required to meet high standards and should respect the historic environment including conservation areas and listed buildings.

Section 9 (Promoting sustainable transport) of the NPPF outlines that in assessing applications for development, the design of streets, parking areas, and other transport elements should reflect national guidance.

Condition 12 was included in the decision notice in the interest of highway safety.

Figures 4 and 5 demonstrate that turning areas will be provided within the curtilage of the site which allows motor vehicles, including HGVs, refuse vehicles and fire tenders, to enter, turn and leave the site in the forward direction. A drawing for each phase of development has been



submitted, demonstrating that this will be achievable in isolation for Phase 1 of the Innovation Quarter build out.

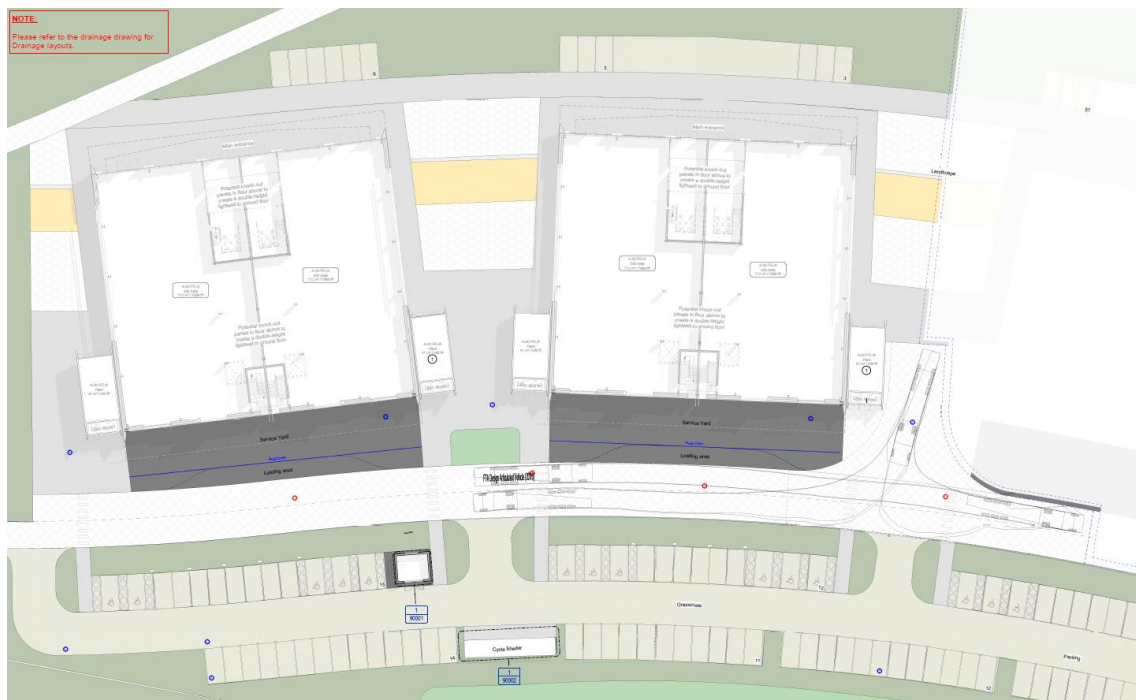


Figure 4: Extract of the Phase 1 Turning Area (drawing ref. 220127-3DR-ZZ-XX-DR-A-10021_P03).



Figure 5: Extract of the Phase 2 Turning Area (drawing ref. 220127-3DR-ZZ-XX-DR-A-10022_P01).



As such, it is considered that the information submitted in support of condition 12 is in accordance with the condition as well as Policy ESD15 and section 9 of the NPPF. It is therefore considered that condition 12 can be discharged.

Condition 13 (Parking Provision)

Policy ESD 15 (The Character of the Built and Historic Environment) expects development to complement and enhance the character of its context through sensitive siting, layout and high-quality design. All development is required to meet high standards and should respect the historic environment including conservation areas and listed buildings.

Section 9 (Promoting sustainable transport) of the NPPF outlines that in assessing applications for development, the design of streets, parking areas, and other transport elements should reflect national guidance.

Condition 13 was included in the decision notice in the interest of highway safety.

Applications 19/02708/OUT and 23/01941/F included the provision of 348 car parking spaces, which accords with Oxfordshire County Council's Parking Standards. As demonstrated by the drawing submitted in support of the discharge of condition 13 (an extract of which is provided at **Figure 6**), a total of 348 parking spaces will be provided – 100 parking spaces as part of phase 1 and a further 248 parking spaces being provided as part of phase 2.



Figure 6: Extract of Proposed Site Plan – Parking Phasing 1 & 2 (drawing ref. 220127-3DR-ZZ-00-DR-A-10019_P02).

Given the submitted parking place complies with Oxfordshire County Council's Parking Standards and aligns with the approved parameter plans, it is therefore considered that the proposal complies with Policy ESD 15 and as such, condition 13 can be discharged.

Condition 16 (Surface Water Drainage)

Policy ESD 6 (Sustainable Flood Risk Management) outlines that development should demonstrate that surface water will be managed effectively on site and that the development will not increase flood risk elsewhere.



Additionally, policy ENV1 (Pollution Control) of the saved Local Plan 1996 outlines 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.

Section 14 (Meeting the challenge of climate change, flooding and coastal change) outlines that the planning system should support the transition to a low carbon future in a changing climate. It should help minimise vulnerability and improve resilience.

Condition 16 was applied to ensure that the development is served by sustainable arrangements for the disposal of surface water. A Technical Design Report, prepared by Hydrock is submitted as part of this application and provides a full surface water drainage strategy with an associated management and maintenance plan.

The Technical Design Report explains that the drainage strategy has been slightly revised since the original outline consent. This is due to the original surface water disposal method (infiltration from the attenuation basins into the ground) requiring revision due to a shallow groundwater table. Whilst infiltration rates show that discharge into natural soils may work in some areas of the site in the summer months, the presence of a shallow groundwater table (which is close to the surface in winter) show a thin, unsaturated zone with the base of any proposed soakaways within the already saturated zone based on the monitoring results from Hydrock's investigations. As such, based on the data acquired, there is limited available storage capacity to consider drainage via infiltration viable. Therefore, an alternative approach is proposed

The revised strategy involves a below ground surface drainage system that connects all new rainwater pipes, channels, and gullies at ground floor level and discharges firstly through permeable paving, into conveyance pipework which runs along the periphery of the car park into a series of attenuation basins. The run-off is then be discharged into the adjacent existing watercourse at the suitable Qbar rate.

The site is split into two areas to account for levels and increased SuDS methods. Permeable paving will be specified to all areas around the buildings as well as the car parks and bays. Open graded crushed rock will act as storage, while also conveying to the various basins, south of the site. Pipework will be kept at a minimal with only conveyance pipes used to discharge the run-off towards the basins. It will be a gravity system without the need for pumping.

Where applicable, the surface water management strategy has incorporated the recommendations of the 'Non-Technical Standards for Sustainable Drainage' and general 'good practice' in terms of providing a SuDS that does not adversely impact flood risk either within the site or beyond the development boundary.

The Technical Design Report concludes that, in light of the shallow groundwater table, the revised drainage strategy disposes to the next most appropriate outlet in accordance with the hierarchical approach, and is thus in line with current standards. Resultantly, the report concludes that the proposal complies with Policy ESD 6 and condition 16 can be discharged accordingly, with all information updated and presented, as requested.

Condition 17 (Foul Water)

Policy ESD 8 (Water Resources) outlines that the Council will seek to maintain water quality, ensure adequate water resources and promote sustainability in water use. It goes onto outline



that development will only be permitted where adequate water resources exist, or can be provided without detriment to existing uses.

Condition 17 was included as it was considered that the development may lead to sewage flooding and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional flows anticipated from the new development.

The Technical Design Report, prepared by Hydrock, confirms that the revised drainage strategy can keep the flows within the site and discharge to an existing pump station mimicking the existing rate; therefore, not increasing the flow. It goes on to outline that this condition is considered to no longer be relevant for the site as there will be no additional flows from the development. As such, it is considered that the proposal complies with Policy ESD 8 and therefore condition 17 can be discharged in light of the revised drainage strategy.

Condition 18 (Contamination)

Policy ENV1 of the saved Local Plan 1996 outlines 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.

Paragraph 183 of the NPPF outlines that planning decisions should ensure that:

- a) a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. This includes risks arising from natural hazards or former activities such as mining, and any proposals for mitigation including land remediation (as well as potential impacts on the natural environment arising from that remediation);
- b) after remediation, as a minimum, land should not be capable of being determined as contaminated land under Part IIA of the Environmental Protection Act 1990; and
- c) adequate site investigation information, prepared by a competent person, is available to inform these assessments.

Condition 18 was attached to the decision notice to ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use.

The Desktop Study Review & Ground Investigation Report, prepared by Hydrock, is submitted in order to address the requirements of condition 18 and its findings are summarised below. The document reported the following geo-environmental conditions:

- Human Health:
 - PAH in the Made Ground – Topsoil and Made Ground – Landfill
 - Asbestos within the Made Ground – Topsoil and Made Ground – Landfill
 - Lead in the Made Ground – Landfill
 - Coal Tar in sample A1 indicated.
- Phytotoxicity:



- Zinc and copper in the Made Ground – Topsoil and Made Ground - Landfill
- Controlled waters:
 - Considered to be a low risk based on historical assessment.
- Radon:
 - The site is in not in a Radon Affected Area (1 to 3%) of existing homes affected).
- Portable water supply pipes:
 - Exceedances in Made Ground above the threshold values are noted in some soil at depths <0.50m bgl.
 - Subject to agreement with the local water supply company, it may be possible for the site to be classified as non-contaminated, from the perspective of the water supply pipe requirements, with standard pipework for pipes within natural soils at the site.
 - Alternatively, it may be necessary to prepare separate water pipe risk assessments on a plot-by-plot basis in order to demonstrate to the water supply company the suitability of standard polyethylene pipework
- Ground gases or vapours:
 - Low risk from ground gases and CS1 conditions apply.

Given the above, the report recommends remediation measures to mitigate/removed any land contamination threats, these include:

- Break out of all hardstanding and below ground obstructions and processing for reuse in accordance with a suitable specification and a Materials Management Plan (MMP) (PL4).
- Import of subsoil and topsoil in accordance with the Materials Management Plan (MMP) (PL1-3);
- The installation of a 300mm engineered cover system in soft landscaped areas comprising a bonded geogrid break layer (e.g. TX160G), subsoil beneath a topsoil thickness of between at least 100mm and 300mm (PL1 – PL3) with deepening of the cover system where required to account for trees and shrub planting.
- Installation of Protectaline pipework if required (PL5).

The report notes that the remediation methodology should be presented in a Remediation Strategy, which will need to be submitted to the warranty provider and the regulatory authorities for approval. It also recommends that verification reports, completed by a competent independent geo-environmental specialist, will be required following completion of any remedial works.

It is considered that the submitted reporting provides a comprehensive intrusive investigation that characterises the type, nature and extent of the contamination present as required by condition 18. As contamination has been identified on the site, a remediation strategy has been submitted in accordance with condition 19 and is detailed below.



Condition 19 (Remediation Strategy)

Policy ENV12 (Contaminated Land) of the Cherwell Local Plan 1996 outlines that development on land which is known to be contaminated will only be permitted if:

- i. adequate measures can be taken to remove any threat of contamination to future occupiers of the site.
- ii. the development is not likely to result in contamination of surface or underground water resources; and
- iii. the proposed use does not conflict with the other policies in the plan.

Condition 19 was included as part of the decision notice to ensure that any ground and water contamination is adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use. The need to discharge the condition was triggered as a result of the geo-environmental assessment undertaken in order to discharge condition 18.

A Remediation Strategy and Verification Plan, prepared by Hydrock, is submitted and addresses the requirements of condition 19. It details the remedial objectives and how remediation of the site will be undertaken to mitigate any risks posed by contaminated soils present as a result of the previous uses of the site.

Section 5 of the Remediation Strategy and Verification Plan outlines the works that will be undertaken at the enablement phase and construction phase respectively. These are summarised below.

The Enablement Phase of works will comprise the following tasks:

- E1 - Break out of all hardstanding and below ground obstructions and (where appropriate) processing for reuse in accordance with a suitable specification and a Materials Management Plan (MMP) (PL4).
- E2 - Stockpiling for reuse or disposal of existing road surfacing materials containing coal tar (PL4).
- E3 - Removal of Topsoil and Made Ground to at least 300mm below the final proposed level where an engineered cover system is required.
- E4 - Appropriate materials handling (including hand picking of ACM) and stockpiling in accordance with the Materials Management Plan (MMP) to ensure soils that contain asbestos fibres or elevated concentrations of PAH are reused beneath buildings/hardstanding, a cover system or disposed of off-site. (PL1-3).
- E5 – Sampling and chemical analysis of geotechnically suitable material for assessment for chemical suitability for reuse.
- E6 – Placement to a suitable specification, of suitable excavated soils, and (if required) suitable imported soils as part of the earthworks.



- E7 – Removal of unsuitable material (including any excavated landfill materials).
- E8 - Validation of the Enablement Phase remedial works.

The Construction Phase of works will comprise the following tasks:

- C1 - Import of subsoil and topsoil in accordance with the Materials Management Plan (MMP) to create an engineered cover system/growing medium in areas of soft landscaping.
- C2 - Installation of Protectaline pipework if required.
- C3 - The installation of a 300mm engineered cover system in soft landscaped areas in the south and east of the site comprising a bonded geogrid/geotextile break layer (e.g. TX160G), overlain by subsoil, beneath a topsoil growing medium at least 100mm thick.
- C4 - Validation of the Construction Phase remedial works.

Having regard to the above, it is considered that the submitted Remediation Strategy and Verification Plan sufficiently demonstrates how measures will be taken to remove any threat of contamination to future occupiers of the site as well as ensure that the development is not likely to result in contamination of surface or underground water resources. As such, it is considered that the proposed remediation strategy accords with Policy ENV12 and the requirements of condition 19, which can therefore be discharged.

Condition 23 (Landscape and Ecology Management Plan (LEMP))

Policy ESD 10 (Protection and enhancement of biodiversity and the natural environment) states that protection and enhancement of biodiversity and the natural environment will be achieved via several means.

Section 15 (Conserving and enhancing the natural environment) of the NPPF outlines that planning decisions should contribute to and enhance the natural and local environment.

Condition 23 was attached to the decision notice to protect the habitats of importance to biodiversity conservation from any loss or damage.

The Landscape and Ecology Management Plan (LEMP), prepared by Ecology Solutions and Macgregor Smith, covers the following:

- Setting out the agreed objectives for landscape and ecological management;
- Securing net increase in woodland and hedgerow cover over time;
- Maintaining habitat connectivity across the site, for bats, badgers, dormouse, amphibians, breeding and wintering birds, invertebrates, and other wildlife;
- Setting out landscape and ecological maintenance responsibilities;
- Setting clear standards for performance of landscape and ecological implementation and maintenance work;



- Assisting in the development of work programmes for landscape / ecological maintenance staff; and
- Helping monitor success / progress against the specified aims and objectives.

The management and maintenance schedules are attached as Appendix C to the document. It provides the vegetation maintenance and management schedule for twenty five years, the annual soft landscape maintenance schedule for one year operations and the annual hard landscape maintenance schedule one year operations.

Having regard to the above, the proposed LEMP will protect the habitats of importance to biodiversity conservation from any loss or damage and will ensure the delivery of landscape and biodiversity enhancements in accordance with Policy ESD10 and it is therefore considered that condition 23 can be discharged.

Condition 24 (Ecology Check)

Policy ESD 10 (Protection and enhancement of biodiversity and the natural environment) states that protection and enhancement of biodiversity and the natural environment will be achieved via several means.

Section 15 (Conserving and enhancing the natural environment) of the NPPF outlines that planning decisions should contribute to and enhance the natural and local environment.

Condition 24 was included as part of the decision to ensure that the development does not cause harm to any protected species or their habitats.

A note prepared by Ecology Solutions is submitted with this application to address this condition. It outlines that a site walkover was undertaken in November 2023. The site walkover assessed whether protected species have moved onto the site since the previous surveys were undertaken. Additionally, specific faunal surveys were also undertaken as part of the site walkover, including an updated badger survey and a ground-based assessment of trees / buildings with regards to bat potential.

It concludes that the walkover identified no protected species have moved onto the site since the 2019 surveys were undertaken, nor was any potential presence of protected species recorded. Moreover, no evidence of badger activity or new evidence of roosting bats were recorded within the application site boundary during specific survey work. Additionally, it is considered that, due to the vegetation clearance and habitat management that has been undertaken on the site in accordance with the approved 2019 Ecological Assessment, the habitats on site are of sub-optimal value to protected species.

As such, it is considered that there are no material changes in terms of protected constraints within the site, and the proposed mitigation and enhancements are still appropriate. An additional site walkover will be undertaken two months prior to commencement of the development to further assess the site for presence of protected species to satisfy the remainder of condition 24.

Condition 27 (EV Charging)

Policy SLE 4 (Improved Transport and Connections) outlines that encouragement will be given to solutions which support reductions in greenhouse gas emissions.



Policies ESD 1-ESD 5 collectively seek to deliver sustainable development and encourage measures be taken to mitigate the impact of development within the District on climate change.

Condition 27 was attached to the decision notice to ensure energy and resource efficiency practices are incorporated into the development and sustainable modes of transport are encouraged. The Innovation Quarter will provide a total of 88 EV parking spaces, the make up on these spaces is set out at **Table 3**:

Table 3: EV and DDA parking provision by development phase.		
Phase	1	2
EV Parking	19	55
DDA / EV Parking	6	8
Total	25	63

The Oxfordshire County Council Parking Standards for New Developments outlines in paragraph 4.19 that “*charging points for electric vehicles in new non-residential development proposals are to be provided at a minimum of 25% for all parking spaces*”. The proposed 88 EV charging spaces is just over 25% of the total parking spaces being provided as part of the development (348 in total), and therefore would be in accordance with the relevant standards. It should be noted that in each phase of development at least 25% of the parking provided will be EV charging.

As such, it is considered that the submitted information demonstrates compliance with policies SLE4 and policies ESD 1-5 as the proposed EV charging will result in a reduction of greenhouse gas emission and contribute to the Innovation Quarter being a sustainable development. As such, it is considered that condition 27 can be discharged.

Condition 30 (Energy Strategy)

Policy ESD 1 (Mitigating and Adapting to Climate Change) outlines that measures will be taken to mitigate the impact of development within the District on climate change. The incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts will include consideration of demonstrating the design approach is resilient to climate change impacts.

Policy ESD 3 (Sustainable Construction) outlines that all new non-residential development will be expected to meet at least BREEAM ‘Very Good’ with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Strategy.

Condition 30 was included to ensure sustainable construction and reduce carbon emissions. The Energy Strategy & Part L Report, prepared by Hydrock, addresses the energy strategy for the project, and how it addresses local and regional planning policy. It should be noted that the reporting provides outline information for the shell and core fit out only, as required by the pre-commencement element of condition 30. It is noted that a detailed Energy Strategy will be required prior to the occupation of the units.



The accompanying Energy Strategy demonstrates that the scheme is policy compliant, by achieving a BREEAM score of 'Very Good' and demonstrating that the buildings have been designed from inception to reduce carbon emissions and provide a comfortable, sustainable environment for the users. As such, it is considered that the proposed development is in accordance with policies ESD1 and ESD3 and the pre-commencement element of condition 30 can be discharged as a result.

Conclusion

In summary, the information requested by conditions 4 (Phasing Plan), 5 (Design Code), 6 (Finished Floor Levels), 11 (CTMP), 12 (Turning Area Details), 13 (Parking Provision), 16 (Surface Water Drainage), 17 (Foul Water), 18 (Contamination), 19 (Scheme of Remediation), 23 (LEMP), 24 (Ecology Check), 27 (EV Charging) and 30 (Energy Strategy) of application 23/01941/F have been submitted as part of this application and are considered to meet the requirements as set out within the conditions, as well as the guidance provided by the relevant Development Plan policies.

I trust that the above contains all the necessary information for the discharge of conditions but if any further information is required, please do not hesitate to contact me.

Yours sincerely,

Jon Westerman

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Director
Edgars Limited