

# Place and Regeneration

David Peckford, Assistant Director – Planning



# Cherwell

DISTRICT COUNCIL  
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Your Ref: -

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07 November 2025

Dear Sir/ Madam

## TOWN AND COUNTRY PLANNING ACT 1990

**Application No.:** 25/02684/SO

**Applicant's Name:** Carney Sweeney

**Proposal:** Screening opinion to find out whether an Environmental Impact Assessment (EIA) is required for the development proposal at Bicester Arc Site (Formerly Bicester Business Park), Land off Oxford Road, Bicester

**Location:** Land North Of Bicester Avenue Garden Centre  
Oxford Road  
Bicester

**Parish(es):** Bicester

I write with respect to the above Screening Opinion request, received on 13th October 2025, which represents a formal request for a Screening Opinion under Regulation 6 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (as amended) as to whether the proposal set out in your submission requires an Environmental Impact Assessment (EIA).

### Summary of Determination

The proposal is considered to be an urban development project falling within Schedule 2 (10b) of the Regulations and the relevant threshold would be exceeded. The site is not within a 'sensitive area' as defined by Schedule 3 of the Regulations. For the development to be considered EIA development, it would be likely to have significant effects on the environment by virtue of factors such as the development's nature, size, location or cumulation with other existing development and/or approved development. The Local Planning Authority considers that this proposal is likely to have significant environmental effects for the purposes of the EIA Regulations and that the proposal is EIA Development. An Environmental Statement is therefore required to be submitted for the reasons set out in the assessment below.

## Reason for determination

The application site comprises a regular 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 an office park.

The proposed development consists of up to 310 build to rent (BTR) flats with landscaping and parking.

The Proposed Development is classified in Schedule 2 under item 10 (b) of the EIA Regulations as 'urban development projects' as listed in Column 1. For 10(b) of Schedule 2 'Urban Development Projects' to be 'Schedule 2 Development' consideration must be given to whether the site is either:

a) located in a 'sensitive area' (as defined under Regulation 2); or

b) one where the relevant screening thresholds and criteria for paragraph 10(b) categories of development are met or exceeded, which in this case are that:

(i) The development includes more than 1 hectare of urban development which is not dwellinghouse development;

or (ii) The development includes more than 150 dwellings;

or (iii) The overall area of the development exceeds 5 hectares.

Only if the criteria for at least one of (a) or (b) above are satisfied does consideration need to be given to whether significant environmental effects are likely, and whether an EIA is required.

With regards to the above criteria, the development is for up to 310 BTR dwellings and as such exceeds criteria (ii) above. The proposed development is required to be screened by the Local Planning Authority to determine whether significant environmental effects are likely which would trigger the requirement for an EIA.

The PPG states that *"When screening Schedule 2 projects, the local planning authority must take account of the selection criteria in Schedule 3 of the 2017 Regulations. Not all of the criteria will be relevant in every case. Each case should be considered on its own merits in a balanced way. When the local planning authority or Secretary of State issues its opinion they must state the main reasons for their conclusion with reference to the relevant criteria listed in Schedule 3. Where it is determined that the proposed development is not Environmental Impact Assessment development, the authority must state any features of the proposed development and measures envisaged to avoid, or prevent what might otherwise have been, significant adverse effects on the environment"* (Paragraph 018 Reference ID: 4-018-20170728).

Schedule 3 of the EIA Regulations 2017 requires the characteristics of the development, location of the development, and type and characteristics of the potential impacts, to be considered when screening Schedule 2 development:

### Characteristics of development

1. The characteristics of development must be considered with particular regard to—

- (a) the size and design of the whole development;
- (b) cumulation with other existing development and/or approved development;
- (c) the use of natural resources, in particular land, soil, water and biodiversity;
- (d) the production of waste;
- (e) pollution and nuisances;
- (f) the risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change, in accordance with scientific knowledge;
- (g) the risks to human health (for example, due to water contamination or air pollution).

## Location of development

2.—(1) The environmental sensitivity of geographical areas likely to be affected by development must be considered, with particular regard, to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
  - (i) wetlands, riparian areas, river mouths;
  - (ii) coastal zones and the marine environment;
  - (iii) mountain and forest areas;
  - (iv) nature reserves and parks;
  - (v) European sites and other areas classified or protected under national legislation;
  - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in law and relevant to the project, or in which it is considered that there is such a failure;
  - (vii) densely populated areas;
  - (viii) landscapes and sites of historical, cultural or archaeological significance.

## Types and characteristics of the potential impact

3. The likely significant effects of the development on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 above, with regard to the impact of the development on the factors specified in regulation 4(2), taking into account—

- a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected)
- b) the nature of the impact
- c) the transboundary nature of the impact
- d) the intensity and complexity of the impact
- e) the probability of the impact
- f) the expected onset, duration, frequency and reversibility of the impact
- g) the cumulation of the impact with the impact of other existing and/or approved development
- h) the possibility of effectively reducing the impact.

Therefore, the screening assessment by the Local Planning Authority will consider these issues as detailed below.

## **Characteristics of development**

### *The size and design of the whole development*

The proposed development would seek to erect up to 310 residential BTR dwellings, provision of landscaping and parking.

### *Cumulation with other existing development and/or approved development*

The application site is adjacent to a Tesco superstore, and Lakeview Drive, a private road that provides access to the wider Bicester 4 site. There is other substantial existing or approved development within the vicinity of the site. Including the wider Bicester 4 site which the subject land forms part of and which benefits from approval of a business park of up to 60,000 sqm GEA of Class B1(a) office / Class B1(b) research & development floorspace (now under Use Class E); associated vehicle parking, landscaping, highways, infrastructure and earthworks (Ref 23/01080/OUT). This application was EIA development. As a S73 application of an earlier EIA development application ref. 17/02534/OUT a Statement of Conformity was submitted with that application which was accepted. Taken cumulatively, the subject proposal is considered to pose significant material impacts.

### *Traffic and Transportation*

Without prejudice to the views of the Transport Authority, Oxfordshire County Council, it will be necessary for the traffic and parking implications of the proposed BTR which is a materially different land use, to be evaluated in light of the cumulative impact taken with the blue line development of the Bicester 4 site as well as any updates to the committed development in the surrounding area since the previous assessments.

Active Travel England have advised that their standing advice would apply and that they will consider the proposals when formally submitted. Regard can be had to the standing advice available here: <https://www.gov.uk/government/publications/active-travel-englandsustainable-development-advice-notes>

### *Noise*

The proposed BTR is unlikely to give rise to any significant noise impacts on the surrounding area. Subject to potential impacts during the construction phase being limited by a construction management plan limiting hours of construction activity. Operational noise is unlikely to be significant, it being noted that any excessive or unreasonable noise from the individual units or from the development overall (communal) events would be relatively contained given the anticipated design, will be subject to the management company oversight and also further subject to the Environment Protection Act 1990.

In respect of the impacts to the future occupiers, it will be necessary for the Noise Impact Assessment to ensure an acceptable noise environment for internal as well as outdoor amenity space. Surrounding activities such as those of the wider blue line site, adjacent road infrastructure and railway line could have potential significant impacts to future if not addressed through design and acoustic mitigation.

The CDC Environmental Health Team note specifically that a Noise Impact Assessment will be required to show that all habitable rooms within the dwellings will achieve the noise levels specified in BS8233:2014 (Guidance on sound insulation and noise reduction for buildings) for indoor ambient noise levels. For external areas (gardens and recreation areas) the World Health Organisations good guideline noise value for outdoor areas of 50 dB LAeq (16 hr) or less should be achieved. Where appropriate there should be consideration of BS 4142:2014:+A1:2019 Method for Rating and Assessing Industrial and Commercial Sound.

### *Landscape and Visual Impact*

The wider site is not previously developed land. It will, therefore, represent a major change to the landscape of the area. Although, this will be with the context of the surrounding urban development and the approved development of the wider blue-line site. The appearance and impact of the scheme including nighttime impact will potentially be different to the approved development, including bulk, massing, height, appearance and lighting. As well as the seasonal variation when taking into account soft landscaping, particular existing and proposed mature tree planting. These aspects should be addressed as part of the Landscape and Visual Impact Assessment (LVIA).

### *Drainage & Flood Risk*

The application site is located in Flood Zone 1 being the lowest level of risk, although the wider blue line site was susceptible to flooding and the related applications supported by a flood risk assessment (FRA). No significant impact is anticipated for this specific part of the site of cumulatively downstream flooding, subject to the views of the Authority, Oxfordshire County Council and the management of surface water during the construction and operational phases of the development.

## *Heritage & Archaeology*

Although not within the setting of any conservation areas or listed buildings, the screening request notes the previous archaeological findings of the site. Oxfordshire County Council advise that, the site lies in an area of archaeological interest and potential, and an archaeological evaluation has been undertaken on the site. If an EIA is required, a chapter on Heritage and Archaeology should be included.

## *Ecology*

There will be impact to ecology as a consequence of the construction and operational phases which is significant when the cumulative impact of the wider approved development is factored in. The CDC Ecologist advises that the proposed development will result in impacts to the existing biodiversity of the site, including protected habitats and species, and may also affect surrounding designated and non-designated ecological sites. To properly assess these impacts, an Ecological Impact Assessment (EIA) and a Biodiversity Net Gain (BNG) assessment will be required. These should provide baseline ecological data, an assessment of potential impacts, and clear mitigation and compensation strategies. Given the scale of development in the local area, cumulative impacts must be considered as part of the assessment process.

The CDC consultant NatureSpace advises the following in relation to Great Crested Newts. It is recommended that at an appropriate stage, that suitable assessment of potential impacts to great crested newts and their habitat is provided (possibly as part of a wider ecological survey/assessment).

The proposed application lies within the red impact risk zone for great crested newts and would appear to have suitable habitat in and around the site, including nearby ponds and existing great crested newt records within 1km. In accordance with Natural England's Guidance to LPAs (2025), developers impacting land in the amber or red impact risk zones should provide sufficient information (at the appropriate stage) to fulfil one of the options below:

1. A qualified statement to demonstrate that their proposed development poses no risk to great crested newts and/or their habitats (i.e. does not impact any ponds, suitable terrestrial habitat or connectivity between ponds/habitat); OR
2. Submit an assessment\*\* of the risk to great crested newts, detailing mitigation and/or licensing requirements if necessary.

The applicant also has the option of inquiring with the District Licence Scheme, in lieu of providing further survey or assessment (see Great crested newt licensing options). This approach does not cover other ecological factors.

[\*\* - Assessments must be prepared by a suitably qualified ecologist and can be carried out as part of a wider ecological assessment.]

## *The use of natural resources, in particular land, soil and water*

There will be use of natural resources through the construction and operational phases of the proposed development, as considered normal for the erection and occupation of dwellings. Yet, this is not considered significant, including when taking into account the cumulative impact of the wider approval in the blue line development area.

Although the EA have advised this is not an application they wish to be consulted on, they note that the proposals may separately require an Environmental Permit or License from them for some types of development. As follows:

- Environmental permits: Under the Environmental Permitting (England and Wales) Regulations 2016, permits are needed to carry out a wide range of specified activities lawfully. Examples include installations, medium combustion plant, specified generator, waste or mining waste operations, water discharge or groundwater activities, or work on or near a main river or sea defence. For more information visit: <https://www.gov.uk/topic/environmental-management/environmental-permits>
- Licences (water abstraction or impoundment): In order to ensure water resources and water quality activities are protected and appropriately managed, abstracting or impounding water may require an abstraction or impoundment license. For more information visit: <https://www.gov.uk/topic/environmental-management/water>

## *The production of waste*

The proposed development will result in the production of waste from the construction and operational phases of the proposed development.

OCC welcome the consideration of waste and note that the EIA Screening Report states that proposed development will not give rise to any significant implications in respect of the production of waste. They welcome the indication that a Waste Management Plan will be developed. However, without an understanding of the estimate of the projected waste arisings it should not be concluded that there will be no significant waste implications.

It is noted that excavation materials are anticipated to be re-used on site, and that a Site Waste Management Plan would be secured through planning condition.

#### *Pollution and Nuisances*

Previous site activities could be a source of contamination which could impact the operational development, with particular regard to soft landscaping and amenity space. This could be controlled by a ground contamination report required as a validation requirement of the planning application. To demonstrate that the development proposal is not adversely affected by land contamination or can be made suitable for use through remedial works.

During the construction phase dust will be generated as well as emissions from plant and vehicles. Debris trucked off site as part of construction vehicular movements as well as surface runoff from the site. These issues could be managed and mitigated through the construction management plan, controlled by condition.

Emissions would result from the residential development relating to the number of private vehicles. A Construction Environmental Management Plan would control construction vehicle movements. A travel plan could be implemented and controlled via a planning condition/ obligation if permission was granted, which would promote sustainable and active travel for residents, without prejudice to the views of OCC. OCC may further request other transport related financial contributions as mitigation via a planning obligation.

With regard to the above, it is clear that mitigation could be included as part of a planning application and controlled by conditions or legal obligation on any subsequent planning permission, if approved.

The CDC Environmental Health Team advise that An Air Quality Impact Assessment will be required to demonstrate the development is not impacted by poor air quality, understand the impact of this development on local air quality and where mitigation will be required. The assessment will need to consider Cherwell District Council's Air Quality Action Plan, include damage cost calculations where applicable, and specify any mitigation measures to address adverse impacts on air quality.

An Odour Impact Assessment following the "IAQM Guidance on the assessment of odour for planning (latest revision)" will be required due to the proximity of the proposed development to the Bicester Sewage Treatment Works (Thames Water should be consulted).

Full details of the lighting scheme should be provided at the application stage.

#### *The risk of major accidents and/or disasters relevant to the development concerned, including those caused by climate change*

The proposal is for a residential scheme and is unlikely to result in any major accidents. Development will be controlled outside of planning legislation by health and safety legislation.

The site is outside Flood Zones 3 and only the southeastern boundary is in the periphery of Flood Zone 2. Therefore, the proposal is not at risk of significant fluvial flooding.

Contamination was covered in the previous section.

Given the above, the impacts are not considered to be environmentally significant.

#### *The risk to human health*

For the reasons given in the previous section there is no significant human health impacts anticipated.

## **Conclusions**

For the reasons given above, the Local Planning Authority considers that a significant environmental effect is likely in terms of cumulation with the approved development in the blue-line which would exceptionally necessitate an Environmental Statement.

Technical assessments should be submitted to support the planning application and these should demonstrate any embedded mitigation as well as consider how the development can be accommodated taking into account site constraints. Should development be supported on the site then planning conditions and/ or obligations would be used to secure mitigation and any necessary further mitigation such as construction management plans, contamination remediation schemes amongst other requirements which will be further considered through the processing of the planning application.

This opinion has been made by an appropriately authorised officer at the Local Planning Authority.

Yours faithfully

A handwritten signature in black ink, appearing to read 'D.P.', is written over a faint, illegible stamp or watermark.

David Peckford

**Assistant Director – Planning**

**Checked by:** Caroline Ford