



PLANNING REPORT

**LAND TO THE NORTH EAST OF
SKIMMINGDISH LANE, BICESTER**

ALBION LAND

June 2015

Our Ref: Q50411

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EXECUTIVE SUMMARY

a) Introduction

1. Planning permission is sought for a flexible mix of Class B1c, B2 and B8 employment uses (including ancillary Class B1a office use) on land to the north east of Skimmingdish Lane, Bicester (here on in referred to as 'the Site'). The Site is allocated for such development in the emerging Local Plan in order to help meet Bicester's future economic needs.
2. This Report sets out the key considerations that are material to the determination of this planning application. The application is also supported by a suite of documents which consider the various technical matters relevant to the proposed development.
3. The proposal is for up to 48,308 sq m (GIA) of flexible employment floorspace along with associated servicing and circulation areas, vehicular and pedestrian access from Skimmingdish Lane, and landscaping. The scheme is submitted in outline form with some matters "unreserved" across part or all of the Site (see below).
4. The scheme has evolved in response to specific market demand for flexible employment space and the Site's draft allocation within the emerging Local Plan (draft Policy Bicester 11).
5. Engagement has taken place with local stakeholders and officers at the Council as part of a pre-application process and this engagement has informed the scheme and the form of the application.

b) The Site

6. The Site is located off Skimmingdish Lane to the north east of Bicester. The Site covers an area of approximately 14.45ha and is bound to the east by agricultural land, to the north by a major tree belt and the Former RAF Bicester Airfield beyond, and to the south by agricultural land.
7. Skimmingdish Lane forms the western boundary to the Site from where the proposed vehicular, pedestrian and cycle access into the Site is to be taken.

8. The Site benefits from good access to sustainable modes of travel, including dedicated footpaths and cycle links that run along the southern side of Skimmingdish Lane and high frequency bus services to Bicester Town Centre and beyond.
9. The Site is characterised by agricultural fields of poor (grade 4) quality and is overall of limited ecological value albeit it is divided north-south and east-west by mature hedgerows of some local bio-diversity value. A small area to the far east of the Site forms a proposed extension to the Bicester Airfield Local Wildlife Site; this area is not proposed for development.
10. Part of the north eastern section of the Site is also located within the RAF Bicester Conservation Area which covers the entirety of the RAF Bicester Site located to the Site's north. Close to the Site, and within the Conservation Area is a Scheduled Ancient Monument (SAM). The small portion of the Site which falls within the Conservation Area is to be left free of built development.
11. A care home is currently under construction to the south west of the Site.

c) Proposed Development

12. This application seeks outline planning permission for the development of the Site for up to 48,308 sqm of flexible Class B1c and/or B2 and/or B8 uses with the potential for ancillary Class B1a office use.
13. The siting of two buildings is set across the southern portion of the Site, as is the point of access into the Site from Skimmingdish Lane.
14. Flexibility is sought within the outline planning permission in order to allow for the development to be marketed and 'tailored' to suit the requirements of potential occupiers through later reserved matters application(s). However, in order to allow for a robust assessment to be carried out of the potential impact of the proposed development, a series of development parameters have been set including:
 - i) the maximum floor space across the Site (48,308 sqm);

- ii) maximum building heights (of 16m (floor to ridge) other than on the south western elevation of the Building Zone adjacent to the care home where the maximum height is set at a lower level);
 - iii) Finished floor levels (minimum of 71m and maximum of 72m AOD across the Site);
 - iv) Access and Circulation Areas;
 - v) Development Zones and Building Zones; and
 - vi) Beyond the Building Zones, a set of Landscape Zones.
15. Given the Site's proximity to the RAF Bicester Conservation Area, the SAM and the care home, consideration has been given to the design principles that will be adopted through any reserved matters application(s) and a series of Design Codes have also been set within the application.
16. With the location of two buildings having been fixed across the southern portion of the Site, there is a need to divert a public footpath which currently runs through the centre of where the proposed buildings are to be located. This planning application is therefore accompanied by a footpath diversion order application under Section 257 of the Planning Act to divert the footpath around the proposed development within an area of proposed landscaping to the south.

d) Development Plan

17. The appropriateness of the Site for employment use is well established in planning policy terms and can be traced back to the adopted Cherwell Local Plan (1996) (which currently comprises the Council's Development Plan) in which a significant proportion of the Site is allocated for unfettered employment (B1, B2 and B8) uses. The Local Plan is of some considerable age and was not prepared in the context of the Framework.
18. Given the age of the adopted Development Plan and the draft status of the emerging Local Plan (see below) this application is to be assessed against paragraph 14 of the Framework and the presumption in favour of sustainable development.

19. The Council are well advanced with their new Local Plan for Cherwell which sets out strategic allocations and associated development management policies for the District. The Plan has been through various stages of consultation and underwent Examination by an Independent Inspector in June and December 2014 and can be afforded a good level of weight in the determination of this application.
20. The Site is deemed appropriate by Cherwell District Council (CDC) for employment development having been put forward as a key employment allocation (Draft Policy Bicester 11) within the emerging Local Plan that is capable of assisting the Council in the delivery of their economic growth strategy.
21. Draft Policy Bicester 11 has been the subject of a number of changes through the evolution of the emerging Local Plan. Most recently it was agreed at the EiP (December 2014) that it was appropriate to extend the boundary of the allocation to incorporate land to the north east (including the Conservation Area).
22. It was also agreed at the EiP that no development would take place in the Conservation Area or the proposed extension to the Local Wildlife Site (LWS), which falls partly within the extended allocation.
23. The Council issued some additional Minor Modifications (MM) on draft Policy Bicester 11 in February 2015, although these do not fully reflect the matters agreed at the EiP. The MMs do not propose to amend the boundary of the allocation but recognise that an extended area of landscape outside the Site's boundary (to the north east) would be appropriate to allow for the employment development to be maximised, whilst ensuring the scheme can be assimilated into the surrounding environment.
24. The Inspector (appointed to determine the Local Plan's soundness) is due to report his findings on the Plan imminently, and therefore the Policy is presently in a state of flux, although its objectives and general thrust of delivering strategic employment development in an appropriate form, are not in contention.
25. Regardless of this anomaly, the scheme is consistent with the spirit of the draft Policy and delivers a scale of development that is environmentally appropriate and which will assist the Council in meeting their economic objectives.

e) **Sustainable Economic Development**

26. The proposal is sustainable, deliverable economic development for which there is a National policy presumption in favour.
27. The Site has been deemed entirely appropriate for employment development through various iterations of the Development Plan and continues to be deemed an appropriate and sustainable strategic employment allocation within the draft Local Plan which carries a good level of weight. The Site is recognised by the Council as a strategic employment Site, integral to the delivery of their economic strategy.
28. The proposals meet the three limbs of sustainability, namely economic, social, and environmental.
29. The development responds directly to local market demand within Bicester for high value manufacturing, technology and advanced logistics operators often in the form of HQ style facilities which require buildings with flexible employment consents in order to accommodate their varying functions.
30. The scheme has been developed in direct response to this market and is well set to meet the commercial market demands of the area. There are no constraints on the Site, and the proposal is deliverable and capable of making a meaningful and immediate contribution towards the Council's ambitious economic growth targets. It will assist the Council in addressing the current unsustainable patterns of out-commuting by providing new job opportunities close to existing and new housing growth areas.
31. The development will create in the order of 1,075 new jobs of varying types and skill sets, providing social-economic benefits to the local area.
32. The scheme has been specifically designed to respect the local environment, and whilst in outline, the principles of good masterplanning and design are embedded in the Parameters and Design Codes for which consent is sought.
33. The proposals are sustainably located, being well connected to the Town by foot and cycle ways. The Site benefits from good accessibility to public transport services including buses. The proposed development includes for the provision of shelters at nearby bus stops on Boston Road and improved

pedestrian footways between the Site and the Launton Road roundabout to build upon the current good provision and for a pedestrian crossing on Skimmingdish Lane to the benefit of both future workers at the Site and the adjacent care home.

34. The development will cause no material impact (in either capacity or safety terms) on the surrounding highway network.
35. The proposed development involves the diversion of an existing public right of way, maintaining rights of access to the surrounding area for the enjoyment, health and wellbeing of local people.
36. Consideration has been given to the impact of development on the amenity of the adjacent care home in accordance with the development management principles of draft Policy Bicester 11. The provision of Landscaping including a landscaped mound between the proposed buildings and the care home and the siting of two proposed buildings to the south of the site (thus providing a noise barrier between yard areas and the care home) means that the proposed development can be accommodated within recommended noise levels.
37. The scheme has been designed such that it will not create any material harm to the significance or setting of the Conservation Area and Scheduled Ancient Monument (SAM).
38. The Landscaping Zones and the setting back of the Buildings Zones from the Site's boundaries help to assimilate development into its surroundings and soften or screen the urban edge. When considered as a whole the proposed development can be accommodated without substantial harm to the character of the landscape context or the visual amenity of the local and wider landscape setting. Although the proposed development will change views immediately adjacent to the proposed buildings, this would be the case for any form of new development in this or any other greenfield location and is an effect that has been deemed appropriate through the Site's draft allocation.
39. The Site is generally of limited ecological value. Those hedgerows of some local biodiversity value will be replicated within the boundaries of the Site and opportunities provided for biodiversity enhancement. The proposed development will result in a net gain in biodiversity in accordance with local and National policy objectives.

40. Sustainable Urban Drainage principles are capable of being accommodated on Site and development will not result in any material impacts on flood risk either on Site, or elsewhere.
41. The technical assessments undertaken in support of this application have demonstrated that the proposed development is environmentally appropriate and will not result in any impacts of particular severity that are incapable of mitigation. Where the development has been demonstrated to result in some impact these are to be weighed against the evidential economic, social and environmental benefits of the proposed development which are strong.

f) Conclusions

42. Given the age of the adopted Development Plan and the draft status of the emerging Local Plan this application is to be assessed against paragraph 14 of the Framework and the presumption in favour of sustainable development.
43. The Site has longstanding recognition as an appropriate and sustainable location for a flexible mix of employment uses within Cherwell's Development Plan and is fundamental to the delivery of the Council's economic growth strategy.
44. The proposed development responds positively to the development management principles set out within draft Policy Bicester 11 which carries a good level of weight in the determination of this application.
45. As has been shown throughout this report and the accompanying technical assessments, the proposed development represents sustainable development when assessed against the economic, social and environmental limbs.
46. Any environmental impacts of the development (where they occur) have been shown to be effectively limited through the application of appropriate mitigation (i.e. through the setting of the proposed development parameters) and are not of such to significance to outweigh the strong and evidential benefits that the scheme will deliver.
47. There is no sound planning reason why the development cannot be approved without delay.

1 INTRODUCTION

a) The Proposal

- 1.1 Planning permission is sought for a flexible mix of Class B1c, B2 and B8 employment uses on land to the north east of Skimmingdish Lane Bicester ('the Site').
- 1.2 This Report sets out the key considerations that are material to the determination of this planning application. The application is also supported by a suite of documents which consider the various technical matters relevant to the proposed development.
- 1.3 The proposal is for up to 48,308 sqm (GIA) of flexible employment floorspace along with a substantial area of landscaping. The scheme is submitted in outline form with some matters "unreserved" across part of the Site (see below).
- 1.4 The scheme has evolved in response to specific market demand for flexible employment space and the Site's draft allocation for B1, B2 and B8 uses within the emerging Cherwell District Council Local Plan (Draft Policy Bicester 11).
- 1.5 As a result of fixing the location of the buildings on the southern portion of the Site (see below for a description of the proposed development) there is a need to divert the public footpath (footpath reference: 272/17) which is currently routed through that part of the Site on which the buildings are to be sited.
- 1.6 As such, this application for outline planning permission is also accompanied by a separate footpath diversion order application under Section 257 of the Planning Act to divert the public footpath around the proposed development to the south of the Site.

b) EIA Screening

- 1.7 The Council's formal written opinion on whether the proposed development constitutes Environmental Impact Assessment (EIA) development was requested on 2 February 2015 under Regulation 5(1) of the Town and Country Planning (Environmental Impact Assessment) Regulations

2011. The Council has subsequently confirmed that the proposed development would not be of such significance nor is Site of such sensitivity to warrant EIA.

1.8 Since the issuing the screening request Central Government have made an amendment to the EIA Regulations in the form of the Town and Country Planning (Environmental Impact Assessment) (Amendment) Regulations 2015 which raises the thresholds for EIA when development requires. The changes to the Regulations are not considered to alter the conclusions of either the request or the Council's assessment albeit we request the Council's confirmation of this on submission of this application.

c) Consultation

1.9 Engagement has taken place with local stakeholders and officers at the Council as part of a pre-application process and this engagement has informed the scheme and the form of the application.

1.10 Specific discussions have been held with (i) Bicester Town Council; (ii) Launton Parish Council (iii) Bicester Heritage; and (iv) the Ramblers Association over the principle of the development. The feedback received and information on how the development has responded to this, is set out in the Statement of Community Involvement (SCI) which accompanies this application.

1.11 The scheme has also been discussed with the applicants (and their representatives) of a residential proposal to the south of Skimmingdish (LPA Ref No. 14/00697/F) in order to seek a mutually agreeable solution to Site access in particular.

d) Structure of Report

1.12 The remainder of this Report is set out as follows:

- Section 2 describes the Site and its surroundings along with details of those designations affecting the Site and to which the development has sought to respond.
- Section 3 sets out the proposed development including information of those matters which are set as part of the outline application and those matters that are reserved for later approval.



- Section 4 outlines those policies material to the determination of this planning application.
- Section 5 provides an appraisal of the scheme against the three limbs of sustainable development, namely the appropriateness of any environmental, economic and social impacts.
- Section 6 concludes that the proposals are sustainable economic development for which there is a strong National presumption in favour.

2 FACTUAL ACCOUNT

a) Site and Surroundings

- 2.1 The Site is located off Skimmingdish Lane to the north east of Bicester. The Site covers an area of approximately 14.45ha and is bound to the east by agricultural land, to the north by a major tree belt and the Former RAF Bicester Airfield beyond, and to the south by agricultural land.
- 2.2 Skimmingdish Lane forms the western boundary to the Site from where vehicular, pedestrian and cycle access into the Site is proposed to be taken.
- 2.3 The Site benefits from good access to sustainable modes of travel, being within easy walking distance of dedicated footpaths and cycle links that run along the southern side of Skimmingdish Lane as well as high frequency bus services to Bicester Town Centre, Oxford and surrounding local settlements.
- 2.4 The Site is characterised by agricultural fields of poor quality (grade 4) and land of relatively low ecological value, albeit it is divided north-south and east-west by mature hedgerows which are of some local bio-diversity value.
- 2.5 A care home is currently under construction to the south west of the Site.

b) Designations

i) Draft Policy Bicester 11 Allocation

- 2.6 The Site is deemed appropriate by Cherwell District Council (CDC) for employment development having been put forward as a key employment allocation (Draft Policy Bicester 11) within the emerging Local Plan that is capable of assisting the Council in the delivery of their economic growth strategy.
- 2.7 As is explained further in Section 4 of this Report, Draft Policy Bicester 11 has been the subject of a number of changes through the evolution of the emerging Local Plan. Most recently it was agreed at the EiP (December 2014) that it was appropriate to extend the boundary of the allocation to incorporate land to the north east (including the Conservation Area) in order that this major

employment Site could deliver the scale of development set out in the Local Plan trajectory (52,500 sqm).

- 2.8 The agreed extended area is shown on the Plan (and referred to in the covering email) attached at **Appendix 1**. It was also agreed at the EiP that no development would take place in the Conservation Area or the proposed extension to the Local Wildlife Site (LWS), which falls partly within the extended allocation.
- 2.9 The Council issued some additional Minor Modifications (MM) on draft Policy Bicester 11 in February 2015, although these do not fully reflect the matters agreed at the EiP. The MMs do not propose to amend the boundary of the allocation but recognise that an extended area of landscape outside the Site's boundary (to the north east) would be appropriate to allow for the employment development to be maximised, whilst ensuring the scheme can be assimilated into the surrounding environment.
- 2.10 The Inspector (appointed to determine the Local Plan's soundness) is due to report his findings on the Plan imminently, and therefore the Policy is presently in a state of flux, although its objectives and general thrust of delivering strategic employment development in an appropriate form, are not in contention.
- 2.11 Regardless of this anomaly, this Planning Report goes on to demonstrate in Section 5 that the scheme is consistent with the spirit of the draft Policy and delivers a scale of development that is environmentally appropriate and which will assist the Council in meeting their economic objectives.

ii) Environmental Designations

- 2.12 As indicated above, part of the northern section of the application Site is located within the RAF Bicester Conservation Area which covers the entirety of the former RAF Bicester Site.
- 2.13 A Scheduled Ancient Monument (SAM) also covers part of the RAF Site, including an area adjacent to the Site's north eastern boundary.
- 2.14 The RAF Bicester Site is also designated as a LWS and a small portion of land in the application Site (covering an area of rubble and scrubland) is proposed for inclusion within the LWS.

2.15 Given the ecological and heritage attributes of the northern parts of the Site, and as agreed with the Council at the recent EiP, this area is to be left free of built development. A plan showing the location of these designations and that part of the application Site that is not to be developed is provided at **Appendix 2.**

2.16 The majority of the application Site is located in Flood Zone 1 at limited risk of flooding, albeit the application boundary does extend into the Flood Zone but only to identify those areas of land that may be required to support the Site's drainage infrastructure (see Flood Risk and Drainage Statement for details). All areas of built form will be located in Flood Zone 1.

2.17 The entirety of the Site falls within the RAF Bicester Airfield Safeguarding Area as drawn up by the Windrushes Gliding Club (based at the Bicester Gliding Centre) (BGC). Although the Area has no statutory designation, the BGC are to be notified of any development proposals located within this defined Area so as to determine whether the development would impact upon the operations of the Club (see Design and Access Statement for further information on the relevance of the Safeguarding Zone).

c) Development History

2.18 The Site was deemed appropriate (in part) for employment development in 2007 through the approval (on appeal) of an application for Class B1 office development (05/01563/OUT).

2.19 The application encompassed land outside of the 1996 Local Plan allocation and sought permission for the erection of 5,858sqm of Class B1 office use with associated parking, turning and landscaping.

2.20 The application was initially refused on the basis that it would cause harm to the appearance and character of the openness of the countryside (being land beyond the built up limits of the settlement), and as such contrary to the relevant policies of the adopted Cherwell Local Plan.

2.21 In considering the application on appeal the Inspector concluded that although the application was contrary to countryside protection policies, the pressing need for employment land and the economic benefits outweighed all other considerations.

2.22 An outline application was later approved in 2013 (LPA ref: 13/00372/OUT) for the construction of a 61 bed care home (Use Class C2), together with ancillary accommodation including a café, hair salon



and shop with associated development including car parking and servicing arrangements 2013 to the south west of the site.

- 2.23 Whilst officers accepted that the proposal would again involve development within the open countryside, they accepted that the Site was appropriateness for development (given the Inspector's conclusion on the employment application) and that the Site is sustainably located within easy access to the Town Centre. The proposed development was considered appropriate on balance and subsequently approved.

3 THE PROPOSED DEVELOPMENT

3.1 This application seeks outline planning permission for the development of the Site for up to 48,308 sqm (GIA) of flexible Class B1c and/or B2 and/or B8 uses, with the potential for ancillary Class B1a office use.

3.2 The siting of two buildings is 'set' across the southern portion of the Site, as is the point of access into the Site from Skimmingdish Lane. All other matters are reserved for future approval.

a) Parameters Approach

3.3 Flexibility is sought within the outline planning permission in order to allow for the development to be marketed and 'tailored' to suit the requirements of potential occupiers through later reserved matters application(s). However, in order to allow for a robust assessment to be carried out of the potential impact of the proposed development, a series of development parameters have been set.

3.4 These are explained in detail within the Parameters Plan and Regulatory Text Document submitted with this application and are summarised as follows.

i) Floor Area

3.5 The gross internal area (GIA) or floorspace of the development is fixed at a maximum of 48,308 sqm. This is marginally lower than the Site's suggested trajectory in the emerging Local Plan (52,500 sqm).

3.6 The maximum floorspace has been set in order to provide a development that is capable of being effectively and sympathetically accommodated on the Site whilst ensuring that surrounding characteristics or sensitivities are respected (through incorporating substantial new strategic landscaping zones – see below).

ii) Development Areas and Building Zones

- 3.7 The area of the Site within which development will take place (outwith the Landscaping Zones) is fixed. Within these Development Areas it is appropriate to restrict some locations (the 'Development Area' to servicing, parking and circulation only and these are differentiated from the 'Building Zone' (within which the proposed buildings can be sited).
- 3.8 The impact of the development, in particular the Landscape and Visual Impact and Heritage Impacts have been assessed on the basis of all of the Building Zone area being brought forward as buildings (at the maximum height – see below). This represents a worst case and is a theoretical, impractical and unrealistic development scenario. In reality the proposed maximum floor area if developed in its entirety would cover just 55.7% of the overall Building Zone.

iii) Landscape

- 3.9 Minimum Landscaping Zones are also set around the Site's perimeter. These vary in depth between 5m and 20m depending upon the sensitivity of the adjacent land use and the need to accommodate appropriate development set-back distances.
- 3.10 Additional detail on how the planting of these Zones can assist in creating the necessary densities and heights to assimilate, soften and where necessary 'screen' the proposed development (i.e. through using plants of particular maturity or species) is outlined within the Design Codes document accompanying the application.

iv) Building Heights and Finished Floor Levels

- 3.11 The height of the buildings is set by market requirements with warehousing or logistic operators requiring a height of 12.5m floor to inside of haunch which results in a maximum building height of 16m (floor to ridge).
- 3.12 The height of the proposed development is set on the Parameters Plan by reference to specific AoD levels. Finished Floor Levels (FFL) are to be set at a maximum of 72m AOD and a minimum of 71m AOD across the Site.

3.13 In order to respect the adjacent care home, the maximum height of the building facade on the outer western edge of the Building Zone is set at 14.5m above FFL.

v) Access and Circulation

3.14 The point of access into the Site is fixed under this outline application. Although the route of the internal access road is unlikely to vary significantly, the inability to fix the siting of the buildings across the whole of the Site means that there is a need to retain some flexibility over the position of the central spine road. An access road 'tolerance zone' is therefore set on the Access and Circulation Parameters Plan (the access tolerance zone allows for sufficient land to accommodate a two way vehicular access, pedestrian footways and landscaping areas with the aim of creating a central access 'boulevard').

3.15 The route of the proposed footpath diversion is also set on the Access and Circulation Parameters Plan (and is subject to a separate footpath diversion order application – see below).

vi) Siting

3.16 As explained above, the siting of two buildings has been fixed across the southern portion of the Site, albeit that is not to say it would be inappropriate to locate buildings elsewhere within the Building Zone and thus the unrealistic scenario of the entirety of the Building Zone being developed for buildings has been assessed in Landscape and Visual terms and in the Heritage Impact Assessment submitted as part of this application.

vii) Design Codes

3.17 Given the Site's relationship to the RAF Bicester Conservation Area, the SAM and the care home, consideration has been given to the design principles that should be adopted (beyond those matters set through the parameter plans) through any reserved matters applications and a series of Design Codes have therefore been set within the application. These are presented in a standalone Design Code Document.

3.18 The Design Codes are intended to provide a framework for the layout, scale and appearance of the buildings and set certain standards or criteria for the circulation and landscaping (non build) zones.

b) Footpath Diversion

- 3.19 With the location of the buildings having been fixed across the southern portion of the Site, there is a need to divert a public footpath (footpath reference: 272/17) which currently runs through the centre of where the proposed buildings are to be located. This planning application is therefore accompanied by a footpath diversion order application under Section 257 of the Planning Act to divert the footpath around the proposed development within an area of proposed landscaping to the south.
- 3.20 The route and proposed treatment of the footpath is explained in detail in the Footpath Diversion Order Statement and is shown on the proposed Access and Circulation Parameter Plan.
- 3.21 In summary, the proposed route has been devised to provide the path of least divergence.
- 3.22 The turns in the path (at right angles) are necessary in order to divert the path around the proposed development and are regarded entirely appropriate in the context of the surrounding landscape, not least in its ability to replicate the pattern of field boundaries and footways prevalent in the local area.
- 3.23 Particular attention has been given to the relationship of the new route to the existing surrounding land uses and the proposed development. The path has been intentionally positioned with the proposed Landscaping Zone (a minimum of 20m in depth) between it and the proposed development. At the point where the path runs alongside the existing care home views into the Site for users of the path are further 'obscured' or 'softened' by the presence of a landscape mound (as shown on the Landscape Parameter Plan).

4 POLICY CONTEXT

a) The Development Plan

- 4.1 The Development Plan for Cherwell is of some considerable age and comprises the saved policies of the Local Plan (1996).
- 4.2 The Council embarked upon a review of the Local Plan in 2004, albeit this was later abandoned. Although approved by the Council as an 'interim' policy document it has not been subject to formal examination and has been superseded by the emerging Local Plan. The interim Local Plan 2011 should be afforded no weight in the determination of the application and is not considered any further within this Report.
- 4.3 The appropriateness of employment development in this area is well established and can be traced back to the 1996 Local Plan in which a significant proportion of the Site was allocated (under Policies EMP1 and EMP2) for unfettered employment (B1, B2 and B8) uses.
- 4.4 A number of policies of the Local Plan (including Policy EMP2) have not been saved and only limited parts of the Plan remain. Policy EMP1 has however, been saved and is permissive of employment generating development (subject to other relevant policies in the Plan).
- 4.5 Given the age of the Local Plan, consideration needs to be given to whether its saved policies are in accordance with the policies of the National Planning Policy Framework (the Framework) and the weight that should be afforded to them needs to be determined with reference to their relative consistency with the policies of the Framework.
- 4.6 The relevant saved policies of the Local Plan are outlined in **Appendix 3** along with commentary about their respective weighting and whether the proposal is in general accordance.
- 4.7 There are a number of relevant policies that have not been saved, and therefore the Plan is silent in some respects.
- 4.8 **Appendix 3** highlights the lack of consistency between many of the saved policies and the Framework and concludes that these policies can be afforded no weight the determination of this application.

4.9 This application is therefore to be determined against paragraph 14 of the Framework and therefore in accordance with the presumption in favour of sustainable development. This means approving development which accords with the provisions of the Framework unless the benefits of the development are significantly and demonstrably outweighed by the impacts.

b) Emerging Plan

4.10 The Council is developing a new style Local Plan which is well advanced (having progressed through the various consultation stages and having undergone Examination by an Independent Inspector in December 2014) and can be afforded a good level of weight in the determination of this application.

4.11 The remainder of this section sets out the relevant policies of the emerging Local Plan including the Site specific policy (Bicester 11) which has informed this application.

4.12 Those relevant provisions of the Framework are also outlined.

i) Draft Policy Bicester 11

4.13 The whole of the application Site is allocated under draft Local Plan Policy Bicester 11 for a full range of B Class uses and has undergone various modifications in response to representations submitted to the various consultation stages. These are outlined below.

4.14 The applicant, Albion Land has provided evidence as part of the Local Plan process to demonstrate the appropriateness of the Site, in market and environmental terms, for a flexible mix of Class B employment uses across the Site.

4.15 The Draft Allocation was amended under the Council's Main Modifications to the Submission Draft Local Plan (October 2014) (in advance of the Public Examination) to include for the full range of Class B employment uses.

4.16 Evidence was later provided during the hearing sessions to demonstrate the appropriateness and need to extend the suggested allocation area to include land to the north (with the Council having already accepted the principle of including additional land to the Site's south west within the allocation area though the October 2014 Main Modifications to the Submission Draft).

- 4.17 The Council agreed to this extended allocation area (see **Appendix 1** for Site area) at the inquiry to incorporate land to the north east (including the Conservation Area) in order that this major employment Site could deliver the scale of development set out in the Local Plan trajectory (52,500 sqm).
- 4.18 It was also agreed at the EiP that no development would take place in the Conservation Area or the proposed extended LWS, which falls partly within the extended allocation.
- 4.19 The Council have issued some additional Minor Modifications (MM) on draft Policy in February 2015, although these do not fully reflect the matters agreed at the EiP. The MMs do not propose to amend the boundary of the allocation but recognise that an extended area of landscape outside the Site's boundary (to the north east) would be appropriate for the employment development to be maximised, whilst ensuring the scheme can be assimilated into the surrounding environment.
- 4.20 Draft Policy Bicester 11 sets a number of development management criteria which were also the subject of discussion at the hearing sessions. **Appendix 4** provides a copy of the applicant's suggested amendments to Bicester 11 which are understood to have been accepted by the Council during the hearing sessions.
- 4.21 The Inspector (appointed to determine the Local Plan's soundness) is due to report his findings imminently, and therefore the Policy is presently in a state of flux, although its objectives and the general thrust of delivering strategic employment development, in an appropriate form, are not in contention. This Planning Report goes on to demonstrate that the proposed scheme is consistent with the spirit of the Policy and delivers a scale of development that is environmentally appropriate and which will assist the Council in meeting their economic objectives.

ii) *Other Development Management Principles*

- 4.22 In addition to the Site specific policy a good level of weight can also be afforded to the general development management policies of the draft Local Plan. Those of relevance to this application are set out in summary form in **Appendix 5**.

c) The NPPF

- 4.23 The National Planning Policy Framework (the Framework) is clear that the planning system should contribute to the achievement of sustainable development and ‘a presumption in favour of sustainable development’ runs at the heart of National Planning Policy.
- 4.24 Paragraph 14 of the Framework notes where the Development Plan is absent, silent or relevant policies are out of date, LPAs should grant planning permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies of the Framework or where the Framework indicates development should be restricted.
- 4.25 The Framework defines the three dimensions of sustainable development namely the economic, social and environmental roles which are mutually dependent.
- 4.26 Paragraph 17 of the NPPF emphasises the need to proactively drive and support sustainable economic development. Every effort should be made to meet the business needs of the area and to respond to wider opportunities for growth.
- 4.27 The planning system should do everything it can to support sustainable economic growth and planning should operate to encourage and not act as an impediment to sustainable growth. *‘Significant weight should be placed on the need to support economic growth through the planning system’ (paragraph 18).*
- 4.28 Planning decisions should contribute to and enhance the natural environment by protecting and enhancing locally valued areas and minimising impacts on biodiversity. Protection of wildlife Sites should be commensurate with their status and appropriate weight should be given to their protection based on this status (Paragraph 113).
- 4.29 All developments which will generate significant amounts of traffic are required to be accompanied by a Transport Assessment and decisions over such proposals should be based on whether opportunities for sustainable transport modes have been taken up; whether a safe a suitable access can be achieved for all people; and that improvements can be undertaken within the transport network that cost effectively limit significant impacts of the development.

- 4.30 Development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are ‘severe’.
- 4.31 Planning decisions should also aim to avoid noise from giving rise to significant adverse impacts on health and quality of life (paragraph 123).
- 4.32 When considering applications local planning authorities should ensure flood risk is not increased elsewhere (paragraph 103).
- 4.33 Section 12 of the Framework (Conserving and Enhancing the Historic Environment) advises LPAs to recognise heritage assets as an *“irreplaceable resource”* and to *“conserve them in a manner appropriate to their significance”* (paragraph 126).
- 4.34 When determining planning applications, LPAs are advised to take into account:
- *‘the desirability of sustaining and enhancing the significance of heritage assets and putting them to viable uses consistent with their conservation;*
 - *the positive contribution that conservation of heritage assets can make to sustainable communities including their economic vitality; and*
 - *the desirability of new development making a positive contribution to local character and distinctiveness”* (paragraph 131)’
- 4.34 Paragraph 132 confirms that it is the significance of the heritage asset upon which a development proposal is considered and that *“great weight should be given to the asset’s conservation”*. LPAs need to consider whether a proposed development will lead to substantial harm to or the total loss of significance of a designated heritage asset.
- 4.35 There is a sequential approach in paragraphs 132-4 which addresses the significance in planning terms of the effects of proposals on designated heritage assets. If, having addressed all the relevant considerations about value, significance and the nature of the harm, and if the level of harm is less than substantial, then the test in paragraph 134 applies.
- 4.36 Where a development will lead to less than substantial harm, the harm is to be weighed against the public benefits of the proposal, including securing its optimum viable use (paragraph 134).

4.37 Paragraph 137, states that LPAs are also advised to look for opportunities for new developments within conservation areas and within the setting of heritage assets to better reveal their significance. Where a proposal preserves those elements of the setting that make a positive contribution to or better reveal the significance of the asset, they should be treated favourably.

d) Summary

4.38 The Development Plan for Cherwell comprises the Saved Policies of the Local Plan 1996 and is of some considerable age, the policies are considered out of date when considered in the context of the Framework.

4.39 The draft Local Plan is advanced and many aspects should be to be afforded a good level of weight in the determination of this planning application.

4.40 The Site is the subject of a draft allocation for a flexible mix of employment uses under the Draft Policy Bicester 11. These proposals have been developed having regard to the development management criteria of Draft Policy Bicester 11 and the development management policies of the emerging Local Plan. The appropriateness of the proposals in policy terms is concluded in the following sections.

4.41 Regardless of the emerging Plan, in the absence of an up to date Development Plan, decisions should be made against paragraph 14 of the Framework and the presumption in favour of sustainable economic development.

5 SUSTAINABLE ECONOMIC DEVELOPMENT

- 5.1 The Site is recognised by the Council as a strategic employment site, integral to the delivery of their economic strategy and is in full accordance with Policy SLE1, Employment Development of the draft Local Plan.
- 5.2 The Site is appropriate for employment development and has been identified as such through various iterations of the adopted Development Plan and continues to be deemed an appropriate and sustainable strategic employment allocation within the draft Local Plan which carries a good level of weight.
- 5.3 This section goes onto demonstrate how the proposed development meets the three limbs of sustainability, namely the economic, social, and environmental limbs and is, in full accordance with Policy PSD1, Presumption in Favour of Sustainable Development of the draft Local Plan and the provisions of the Framework. The scheme attributes the “presumption in favour of development” in draft Policy PSD1 and the Framework.

a) Economic Sustainability

- 5.4 The development responds directly to local market demand within Bicester for high value manufacturing, technology and advanced logistics operators often in the form of HQ style facilities which require buildings with flexible employment consents in order to accommodate their varying functions.
- 5.5 The scheme has been developed in direct response to this market and is well set to help meet the commercial market demands of the area.
- 5.6 Bicester is located within what the Council’s Employment Land Review (2006) refers to as the Oxford, Kidlington and Bicester sub-market, characterised by its proximity the A34 and the M40.
- 5.7 The A34 Corridor however, occupies its own very distinct employment market which runs the length of the A34 between Didcot and Bicester, including Milton Park, Abingdon and Oxford. This area encompasses a wide mix of office, warehouse & industrial and high technology businesses and is believed to be the major focus for expansion by university spin-offs and related overspill from Oxford.

- 5.8 North of Oxford and in particular at Bicester, the economy and therefore the commercial property market is heavily influenced by the area's proximity to the M40 (Cherwell Employment Land Study 2012 para 8.2.3) and is currently dominated by advanced manufacturing, general production and distribution uses, often with ancillary office and R&D functions.
- 5.9 It is these advanced manufacturing, logistics and research and development sectors that demonstrate considerable potential for growth within Cherwell and to which this application seeks to respond.
- 5.10 The industrial and warehouse market encompasses part of the technology and R&D market and has historically demonstrated strong demand in the Bicester area (ELR (2006)). The sector has been driven by excellent road communications which is, a favourable factor at Bicester given its proximity to the M40, A34 and A43. The recent growth in this market is likely to continue through increased interest from advanced logistics and advanced manufacturing operators.
- 5.11 This market is becoming characterised by modern occupiers undertaking a range of manufacturing, sales and logistics operations from a single facility or 'cluster' and therefore demand multi-use buildings (i.e. B1/B2/B8) or Sites. Operators require the flexibility to adapt Sites and premises in response to business and market demand i.e. if the need for B2 increases above the projected trend of, for example B8 uses and vice versa, then Sites should be able to satisfy either use depending on which type of demand arises.
- 5.12 It is this flexibility that Policy Bicester 11 adopts and which this application aims to deliver.
- 5.13 The proposed development is therefore deliverable and capable of making an early and a meaningful contribution towards the Council's ambitious economic growth targets and in assisting the Council in addressing the current unsustainable patterns of out-commuting by providing new job opportunities close to existing and new housing growth areas.
- 5.14 Employment densities for employment uses vary according to level of activity and intensity of use, and these can range between 1 job per 10 sqm (GEA) for offices to 1 job per 100 sqm plus for low intensity warehousing. Typically in Albion Land's experience, composite use headquarter buildings have a job density of 1 per 45 sqm.

5.15 The maximum GIA for which approval is sought translates to a GEA of circa 48,403 sqm which in turn would deliver in the order of 1,075 new jobs. These jobs will be of varying types and skill sets, providing social-economic benefits to the local area. The development will also deliver a significant number of construction jobs over the 2 to 3 year construction period.

b) Environmental

5.16 The technical documentation supporting this application has demonstrated the proposal to be environmentally appropriate and in accordance with the development management policies of the adopted and emerging Local Plans and the provisions of the Framework.

5.17 The environmental effects of the proposals can be summarised as follows.

i) Good Design

5.17 Saved Local Plan Policy C28 requires the design of buildings to be sympathetic to the character of their urban or rural context. Draft Policy Bicester 11 and emerging Local Plan Policy ESD 15 continue this design aspiration most notably in requiring development to provide a high quality, well designed approach to the urban edge to deliver a high profile economic attractor and achieve a successful transition between the town and country environments.

5.18 The proposals satisfy these policy objectives, as outlined below and detailed in the Design and Access Statement (DAS). These principles of 'good design' are controlled through the development parameters (shown on the Parameters Plans) and are embedded in the illustrative Masterplan (presented in the DAS).

5.19 The setting of the various development parameters has been founded on a thorough analysis of the potential constraints and opportunities presented by the Site and its surroundings, and has been informed by an iterative design review process with officers at the Council, stakeholders and through the various technical assessments which are reported in this application.

5.20 The development parameters have been set in order to retain a degree of flexibility within the outline proposals whilst ensuring that the impact of the scheme can be robustly assessed and restricted to an appropriate level.

- 5.21 The development parameters include minimum Landscaping Zones (i.e. development set back distances from the Site's boundaries) which have been provided to augment existing areas of strategic landscaping along the Site's northern boundary and help assimilate the development into its surroundings and where relevant, respect and preserve the character and setting of the RAF Bicester Conservation Area and associated SAM. The Landscaping Zones have been informed by the Landscape and Visual and Heritage Impact Assessments which have then gone onto assess the proposed development on the basis of their inclusion (see later sections).
- 5.22 Those areas within the planning application boundary that are outside of the Landscaping Zones are defined as the maximum Development Area (deemed suitable for circulation and car parking) and within this is the proposed Building Zone (within which the buildings may be located). The location of these areas have again been influenced by the need to respect and protect the Site's surrounding sensitivities and designations whilst delivering a meaningful level of floorspace in line with the Council's economic aspirations for the Site. For example buildings have been set back from the edge of the Development Area on the north western boundary to provide a greater distance between the proposed buildings and the Conservation Area.
- 5.23 Whilst there is a need to retain some flexibility over the layout of the buildings across the Site (whilst working within the maximum building zone) the siting of two buildings has been set across the southern section of the Site. The siting of these buildings have had regard to the need to provide a visual and acoustic screen between the parking and service yard areas and the nearby care home and protect privacy through limiting potential for overlooking.
- 5.24 The central access spine road has been positioned to provide a central 'boulevard' through the Site and is proposed at an appropriate width to allow for vehicular cycle and pedestrian access as well as landscaping areas or strips.
- 5.25 The design of the buildings themselves is largely set by operator requirements not least the need of logistics operators for buildings of 12.5m floor to underside of haunch. When taking into account the pitch of the roofs, this results in a maximum height requirement of 16m floor to ridge. In the interest of good design and to protect the amenity of the adjacent care home the elevation of the building on this boundary has however been set at a lower height of 14.5m.

- 5.26 The appropriateness of the height parameters has been concluded through the Landscape and Visual Assessment and Heritage Impact Assessment accompanying this application.
- 5.27 A series of Design Codes have also been set providing further detail on the appearance and layout of the proposed development, providing a great level of control over those design principles considered important for incorporation within the final scheme. This includes details of minimum planting heights and densities for the Landscape Zones which has in turn been referenced in the assessment of the development's Landscape, Visual and Heritage Impacts.
- 5.28 The proposed development will seek to achieve a BREEAM rating of 'Very Good' in accordance with emerging Local Plan Policies ESD 1 to 5. The means by which this may be achieved i.e. through building design or onsite technologies is explored in the DAS and Design Codes document, with the detail to be agreed through subsequent reserved matters applications.
- 5.29 The proposed development (as presented through the parameters plans and Design Codes) provides a high quality, well designed development. The development will act as a high quality employment site that is not only attractive to potential operators but provides a successful transition between the town and countryside. The proposed development incorporates the principles of good design as set out in the development management principles of Draft Policy Bicester 11, emerging Local Plan Policies, adopted Local Plan Policy C1 and the principles of the Framework.
- i) Transport and accessibility
- 5.30 Saved Policy TR1 of the adopted Local Plan requires new development to be sustainable in transport terms and where development necessitates any improvements to the transport network, for these to be secured through any planning permission. In addition, Draft Policy SLE4 of the emerging Local Plan requires development (where feasible) to facilitate the use of sustainable modes of transport and to make the fullest possible use of public transport, walking and cycling. In accordance with paragraph 32 of the Framework, draft Policy SLE4 of the emerging Local Plan indicates that development which is not suitable for the roads that serve it and which have a severe traffic impact will not be supported.

- 5.31 The Site has already been deemed an acceptable location for employment development through its draft Local Plan allocation (Bicester 11) albeit an assessment of the development's transport impacts has been undertaken in line with the development management principles of the draft Policy.
- 5.32 The Site is one of several draft strategic employment allocations for Bicester which have been identified as capable of addressing the current unsustainable patterns of out commuting occurring in the Town. The Site will help support the Council's proposed housing growth for Bicester through providing job opportunities close to new housing expansion areas, thus facilitating sustainable patterns of growth and lessening demand upon the highway network.
- 5.33 The Site is sustainably located, within walking distance of local bus stops and residential areas. The Site also benefits from excellent access to cycle and pedestrian infrastructure within the immediate vicinity, linking the Site with nearby residential areas and the Town Centre of Bicester.
- 5.34 The proposed development makes provision for improvements to the pedestrian network via an extension of the existing footway from the Launton Road Roundabout (to the Site's south west) to the proposed Site entrance in accordance with the development management principles of draft Policy Bicester 11. A signalised pedestrian crossing is also proposed to provide a safe and convenient access to the Site whilst also providing betterment for neighbouring land uses including the care home. New bus shelters are also proposed for the existing stops on Boston Road in accordance with saved Local Plan Policy TR1.
- 5.35 The Transport Assessment has assessed the capacity of the highway network to accommodate the proposed development and concludes that the development traffic will not result in a material impact on the overall operation of the local or strategic road network and that there is no requirement for any improvements. In this respect the proposed development is in accordance with paragraph 32 of the Framework and the relevant development management principles of draft Policy Bicester 11, in addition to saved Local Plan Policy TR1 and draft Local Plan Policy SLE4.
- 5.36 Travel planning measures (in the form of a Framework Travel Plan) are also proposed as a means by which to encourage future employees of the Site to travel by sustainable modes.
- 5.37 The proposed development involves the diversion of an existing public right of way, which is necessitated by the proposed development and as such meets the tests set out in Section 257 of the

Planning Act. In diverting the public footpath the applicant proposes to maintain the public right of access, albeit in a modified route, to the surrounding area for the enjoyment of local people.

5.38 Further details at the routing of the diverted footpath, its dimensions and proposed treatment are set out in the accompanying footpath diversion order application and will (through taking the path of least diversion, utilising materials which facilitate efficient drainage and setting the path alongside an area of strategic landscaping) actively assist the use of the right of way in line with the development management principles of Draft Policy Bicester 11.

ii) Heritage

5.39 Given the Site's relationship to the Bicester Conservation Area and associated SAM, the application has paid appropriate regard to the impact of the proposed development on heritage matters. In accordance with paragraph 128 of the Framework and the development management principles of draft Policy Bicester 11 and draft Policy ESD16 of the draft Local Plan this application is accompanied by a Heritage Impact Assessment (HIA) which describes the significance of the assets.

5.40 The HIA considers the impact of the proposed development on the significance of the heritage assets (in accordance with Paragraph 129 of the Framework) and if the proposed development results in any harm to the significance of the asset, to balance this harm against the wider community benefits to be delivered by the proposal (Paragraphs 131 to 134 of the Framework).

5.41 The principle of developing the Site has been established (in full awareness and acknowledgement of its relationship to the heritage assets) through its draft Local Plan allocation and consideration has therefore been given within the HIA to how the proposed development can through the setting of specific development parameters '*conserve or enhance the setting of the RAF Bicester Conservation Area and adjoining Scheduled Ancient Monument*' (Draft Policy Bicester 11).

5.42 The development parameters have been set to mitigate any impact of development on the character and appearance of the RAF Bicester Conservation Area and to conserve its open setting. Similarly the parameters have sought to safeguard the setting of the bomb stores (to the north west of the Site within the Conservation Area which in turn form part of the SAM). This has been achieved through providing significant Landscaping Zones which augment existing areas of landscape located on the northern boundary of the site, setting the Building Zone back from the western boundary of the site,

providing separation between the edge of the Conservation Area and the proposed buildings and through restricting any development within that part of the Conservation Area that falls within the Site.

- 5.43 The significance of the bomb stores lies primarily in their historical and evidential value and these aspects of their significance will not be unharmed by the proposed development. The bomb stores are well hidden and their wider setting makes a very small contribution to their significance. The retention of existing trees and the reinforcement of the boundary between the Site and the bomb stores through additional strategic landscaping will safeguard the setting of the SAM. It is concluded within the HIA that whilst the proposal may be visible at times from the SAM, this would not cause material harm to the significance of the bomb stores as a heritage asset.
- 5.44 In the case of the Conservation Area the proposed development does not fall within the principle views as defined by the Conservation Area Appraisal. Furthermore the edge of the flying field is contained along its boundary with the proposal Site by mature trees. This means that the visual impact of the proposed development in critical views would be diminished and the critical attribute in the character and significance of the Conservation Area will be conserved and further safeguarded through the proposed Landscaping Zones.
- 5.45 Overall, the HIA concludes that the proposed development will not cause material harm to the setting or significance of the RAF Bicester Conservation Area or the southern bomb stores that lie adjacent to the development Site and form a component of the SAM. As such, the proposals accord with the provisions of Section 12 of the Framework, draft Local Plan Policy ESD16 and the development management principles of the draft Policy Bicester 11.

iii) Flood Risk and Sustainable Drainage

- 5.46 The application is accompanied by a Flood Risk Assessment and Drainage Strategy in accordance with draft Policies ESD6 and ESD7 of the draft Local Plan, the development management principles of draft Policy Bicester 11 and paragraphs 100 to 103 of the Framework.
- 5.47 The Site is located in Flood Zone 1 (other than for those areas required to support pipework for surface water discharge) and consequently the entirety of the proposed Development and Building

Zones are at limited risk of flooding. The proposed development has been shown to be capable of being accommodated without increasing the risk of flooding elsewhere.

- 5.48 The submitted Drainage Strategy has shown that Sustainable Urban Drainage principles are capable of being accommodated on Site in order to deliver greenfield run off rates in accordance with paragraphs 100 to 103 of the Framework and draft Local Plan Policy ESD7.

iv) Landscape and Visual Impact

- 5.49 Saved policies C10 and C17 of the adopted Local Plan require development to limit the harm that it may have on the character or appearance of historic landscapes and to seek opportunities to secure the enhancement of the 'urban fringe'. Draft Local Plan Policy ESD15, also requires proposals for development on the edge of the built up area to be carefully designed and landscaped to soften the built edge of the development and assimilate it into the landscape which is consistent with the provision of the Framework. The development management principles of Draft Policy Bicester 11 also require proposals to provide for a comprehensive landscape scheme to help limit visual intrusion into the surrounding landscape.
- 5.50 Although the Site has already been deemed appropriate for development through its draft allocation (in full awareness of the Site's visual and landscape context) consideration has been given within the accompanying Landscape and Visual Impact Assessment (LVIA) to reducing and where possible eliminating, any negative landscape and visual effects of the development. This process of design evolution and assessment has been iterative, with mitigation being incorporated in the form of Landscape Zones or parameters and through the details set out within the submitted Design Codes.
- 5.51 Effects have been 'avoided' through controlling those areas in which development is to be located, i.e. setting the Development Zones back from the Site boundaries and retaining where possible existing hedgerows and areas of strategic landscaping.
- 5.52 Effects have also been 'reduced' through the provision of a substantial number of new trees and hedgerows within the Landscape Zones in order to augment existing areas of vegetation and assist in screening, filtering and softening views of the proposed development.

- 5.53 The residual impact of the development i.e. with these design principles incorporated has been assessed within the LVIA.
- 5.54 The LVIA concludes for the following reasons that the development meets and many cases exceeds the objectives of the relevant Policies.
- 5.55 In accordance with draft Local Plan Policy ESD13 the development includes for substantial new areas of planting on the Site boundaries which respects the local landscape character and prevents any undue visual intrusion. There will be no harm to the setting of existing settlements, buildings, structures or other landmark features or historic landscapes.
- 5.56 In direct response to draft Local Plan Policy ESD15 the retention of existing vegetation (where possible) and the provision of substantial new areas of vegetation soften the built edge of the development and assimilate it into the landscape. The integrity and purpose of the surrounding Green Buffer has been maintained.
- 5.57 The development proposals compensate for any loss of existing green infrastructure and the additional landscaping areas will strengthen and augment the existing planting in accordance with draft Local Policy ESD18.
- 5.58 With reference to the site specific development management criteria set out in draft Policy Bicester 11, the proposed development: provides for a high degree of connectivity between new and existing areas of development; respects the landscape setting of the Site whilst creating and restoring and replacing (where necessary) wildlife and green corridors; and includes a comprehensive landscape scheme to limit visual intrusion.
- 5.59 The LVIA concludes that through the provision of the proposed landscape mitigation any effect on landscape character will be limited to moderate impacts and in many instances will result in no change. These impacts should be considered in the context of the Site's proposed allocation and the fact that development of any greenfield Site will result in a transformational change on the local landscape.
- 5.60 Visual effects will be limited in the main to short range views only and their effects will be reduced through the landscaping proposals.

- 5.61 The impact of the development on landscape character can be accommodated without detriment to the character of the landscape setting. The layout of the development and the scale and quality of the proposed Landscaping Zones will complement the existing 'urban fringe' with the proposed development being integrated without detriment to the character of the wider receiving landscapes.
- 5.62 In summary, the LVIA concludes that when considered as a whole the proposed development can be accommodated without substantial harm to the character of the landscape context or the visual amenity of the local and wider landscape setting. Although the proposed development will change views immediately adjacent to the proposed buildings, this would be the case for any form of new development in this or any other greenfield location and is an effect that has been deemed appropriate through the Site's draft allocation.

v) Ecology

- 5.63 The application will protect (in accordance with saved Local Plan Policy C1) and where possible enhance the natural environment of the Site to seek a net gain in biodiversity in accordance with draft Local Plan Policy ESD10, the development management principles of Draft Policy Bicester 11 and the relevant provisions of the Framework.
- 5.64 The application is accompanied by a Phase 1 Ecological Appraisal which assesses the value of the Site and the potential impacts of the development on habitats and notable species.
- 5.65 The Appraisal identifies the Site as being of limited ecological value supporting a range of species poor habitats that arise from the Site's agricultural use. The exception to this is the hedgerow that runs north to south through the Site which is of some local value.
- 5.66 The net gain in new native tree and shrub planting to be provided within the proposed Landscaping Zones replace, enhance and extend those areas that are unable to be retained through the proposed development.
- 5.67 The spur of land to the north west of the Site which forms part of the proposed extension to Bicester Airfield LWS is to be retained free from built development. This will ensure that the area retains its existing habitat composition and value. Appropriate management of this area (to be brought about

by the proposed development) could enhance its value as an 'open mosaic habitat on previously developed land' providing a net gain in this BAP habitat type.

- 5.68 Whilst some trees have been assessed to have the potential for bat roosting, these will be in the main retained, and where it is necessary to remove them, numerous alternative potential roosts can be created within the proposed Landscape Zones. With the provision of appropriate roosting habitats the proposed development would not impact on the conservation status of this species. Further surveys to verify the roosting status of those trees that are to be removed is to be undertaken during the course of the application and will inform the level of mitigation recommended.
- 5.69 There is limited valuable habitat for reptiles on the Site, and the creation of linear planting areas and provision of drainage swales on Site has the potential to enhance the Site's value for this species.
- 5.70 Although evidence of a badger sett was found, it is of limited importance and the scope to provide a replacement sett within the Landscaping Zones is regarded to be appropriate mitigation.
- 5.71 In summary, those areas of local wildlife value within the Site are to be retained free from built development. This coupled with the significant areas of new landscaping proposed on the Site and the provision of areas of mitigation or replacement habitat, provide significant opportunity for biodiversity enhancement and net gain in accordance with saved Local Plan Policy C1 and draft Policy ESD10 of the emerging Local Plan.

vi) Amenity

- 5.72 Saved Local Plan Policy C31 requires development that is to be located in or around existing or proposed residential locations to be compatible with the area and not cause an unacceptable level of nuisance.
- 5.73 Without prejudice to the proposed changes to the draft Policy put forward by Albion Land during the Examination of the draft Local Plan, the development management principles set out in Draft Policy Bicester 11 seek to protect residential amenity at the adjacent care home through the provision of an appropriate green buffer between it and future development areas, and through limiting the development area immediately adjacent to the proposed care home, to Class B1 office use.

- 5.74 Consideration has been given to the impact of the proposed development on the amenity of the care home and the findings are reported in a Noise Survey which is submitted with this application.
- 5.75 The survey provides for an assessment of existing noise levels at the adjacent care home and recommends maximum noise standards at this receptor.
- 5.76 The survey concludes (based upon the worst case and potentially unrealistic scenario of all the proposed development coming forward as the most noise intensive Class B8 uses) that the proposed development (given the siting of the buildings which orientates the yard and circulation areas away from the care home and the inclusion of a large landscape mound again between the building and the care home) can be comfortably accommodated within the recommended noise standards and without any need for any controls on the operation of the proposed development.
- 5.77 In this regard the proposed development is in full accordance with the saved Policies of the Local Plan and draft Policy Bicester 11.

vii) Agricultural Land and Soil Quality

- 5.78 Despite the Site's characterisation as poor quality (grade 4) agricultural land within the Local Plan Sustainability Appraisal, the development management principles of draft Policy Bicester 11 require consideration be given to the impact of the development on the most versatile agricultural land.
- 5.79 In summary, the Site has already been deemed an acceptable location for development through its draft Local Plan allocation (Bicester 11) and as such it has already been deemed appropriate for development. Given the Site's classification the development will not result in the loss of the most versatile agricultural land.

viii) Planning Merits

- 5.80 The technical assessments undertaken in support of this application have demonstrated that the proposed development will not result in any adverse impacts that cannot be mitigated to an appropriate level or which have not been deemed acceptable in principle through the Site's draft Local Plan allocation. Where the development has been demonstrated to result in some impact these should be weighed against the evidential benefits of the proposed development which are strong.

5.81 The benefits of the proposed development include:

ix) Economic

- Assist the Council in the delivery of their economic strategy through the early delivery of one of their identified strategic employment allocations;
- The delivery of a strong economic attractor, providing a site that meets the requirements of potential operators and growing market demand; and
- Delivers in the order of 1,075 new jobs for Bicester thus assisting the Council in counteracting current unsustainable patterns of out migration and supporting the Council in delivering substantial housing growth.

x) Social

- Provide for a range of employment opportunities to meet a variety of social and economic needs;
- Improve access to the Site and the wider locality through improvements to pedestrian routes, road crossings and bus stop provision thus improving the health and wellbeing of existing and future users through encouraging travel by sustainable modes;
- Re-provides the public right of way through the Site on a path of least divergence and through paying particular regard to the path's treatment and dimensions, assists in increasing its usage.

xi) Environmental

- Retain the RAF Bicester Conservation Area free from built development, preserving the significance of the asset and through the provision of additional landscaping on the boundary of the Site, help to preserve and potentially enhance the setting of the SAM.

- Retain the proposed extension to the RAF Bicester LWS free from built development to facilitate natural succession and the establishment of an improved local BAP habitat.
- Provision of substantial areas of new landscaping along the Site's periphery allowing for existing habitats to be relocated and new areas to be created to the benefit of biodiversity.
- Provision of landscaping zones or building set back distances to successfully limit any visual intrusion and to secure the enhancement of the 'urban fringe'.
- Delivery of a sustainable drainage strategy.
- Protecting the amenity of nearby residents through locating servicing areas away from sensitive receptors and orientating buildings so as to screen potential noise sources.

c) Summary

- 5.82 The Site has longstanding recognition as an appropriate and sustainable location for a flexible mix of employment uses within Cherwell's Development Plan and is fundamental to the delivery of the Council's economic strategy and wider sustainable growth objectives.
- 5.83 This proposal is in accordance with the principle of development established through the draft Local Plan Bicester 11 allocation which carries a good level of weight in the determination of this application.
- 5.84 The environmental impacts of the development have been considered against the development management principles set out in the draft Local Plan, the saved Local Plan Policies and the Framework, and have been shown capable of mitigation (i.e. through the setting of the proposed development parameters). Where residual impacts are to be experienced these are not of such significance to outweigh the substantial benefits that the scheme will deliver. There is no sound planning reason why the development cannot be approved without delay.

6 CONCLUSIONS

- 6.1 Given the age of the adopted Development Plan and the draft status of the emerging Local Plan this application is to be assessed against paragraph 14 of the Framework and the presumption in favour of suitable development.
- 6.2 The Site has longstanding recognition as an appropriate and sustainable location for a flexible mix of employment uses within CDC Development Plan and is fundamental to the delivery of the Council's economic objectives.
- 6.3 The proposed development responds directly to the principles set out within Draft Policy Bicester 11 which carries a good level of weight in the determination of this application.
- 6.4 As has been shown throughout this report and the accompanying technical assessments, the proposed development represents sustainable development when assessed against the economic, social and environmental limbs.
- 6.5 The environmental impacts of the development have been shown through the application of appropriate mitigation (i.e. through the setting of the proposed development parameters) to not be of such to significance to outweigh the substantial benefits that the scheme will deliver.
- 6.6 There is no sound planning reason why the development cannot be approved without delay.



APPENDIX 1

Hannah Smith

From: Tim Waring
Sent: 17 December 2014 17:37
To: Ian Kemp
Cc: Adrian Colwell; Kelvin Pearce; Hannah Smith
Subject: Bicester 11 - Clarification
Attachments: 3830-sk02-01_Boundary_Determination.pdf

Ian

At today's Hearing Session we discussed the potential site boundary for Bicester 11.

To aid the Inspector and for the purpose of clarification, I have attached a plan (ref no 3830-sk02-01) demonstrating the geographical extent of the proposed allocation agreed by ourselves and CDC. This Plan incorporates the area shown in the Main Modifications and the additional land to the north east, promoted by Albion Land.

If the Inspector requires any further clarification or has any questions, please let me know.

Tim



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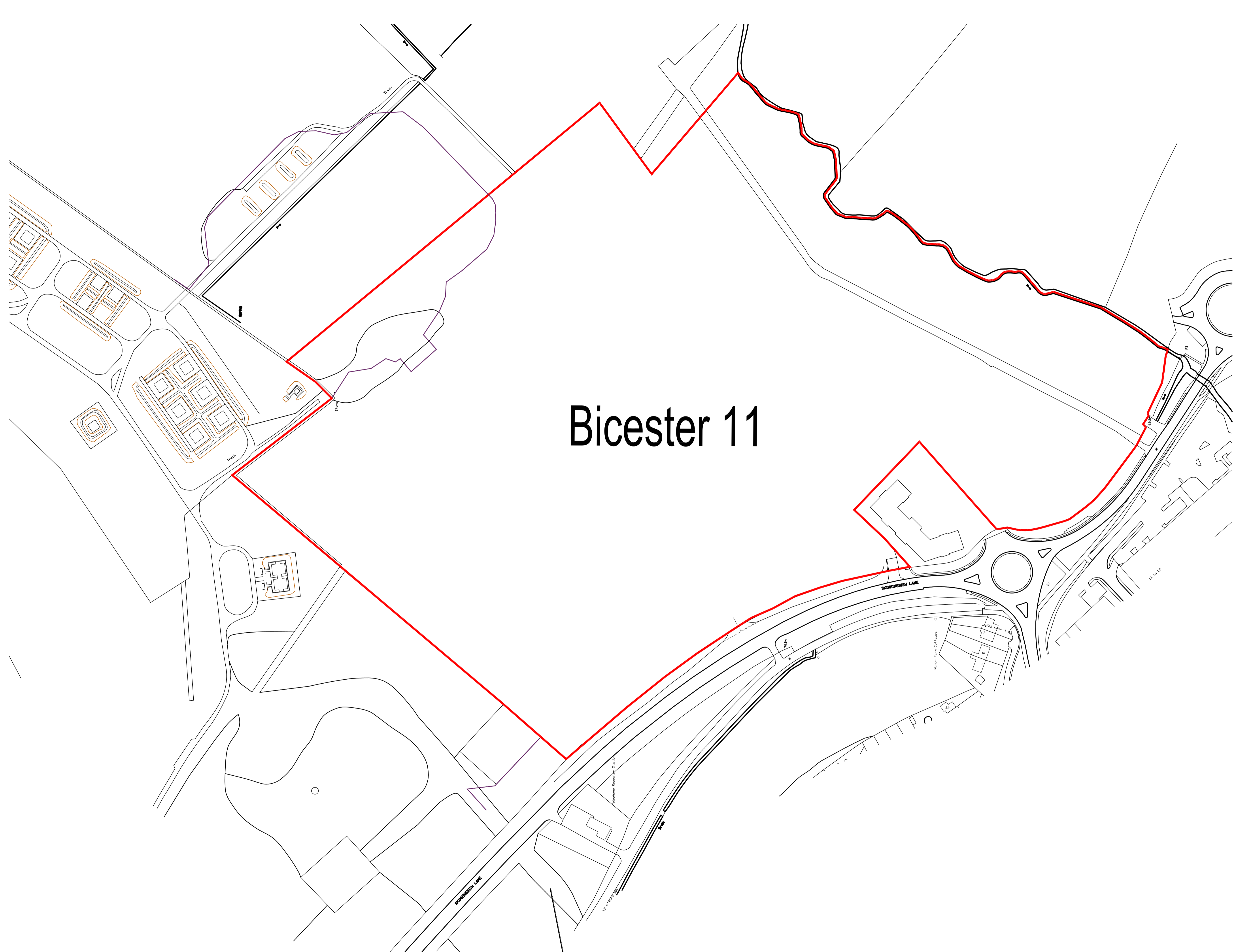
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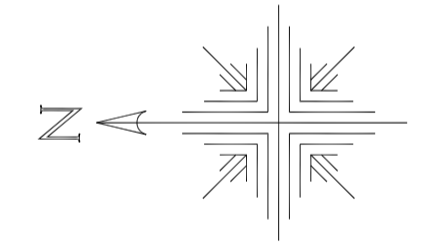
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Notes:
Contractors must verify all dimensions on site before commencing any work or shop drawings. This drawing is not to be scaled. Use figured dimensions only.
Subject to statutory approvals and survey.

AREAS
Building areas are liable to adjustment over the course of the design process due to the ongoing construction detailing developments.



Bicester 11



01 Annotations Removed 17/12/14 SM
REVISIONS

PROPOSALS

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a r c h i t e c t s

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Project Job Number 3830-sk02
SKIMMINGDISH LANE, BICESTER

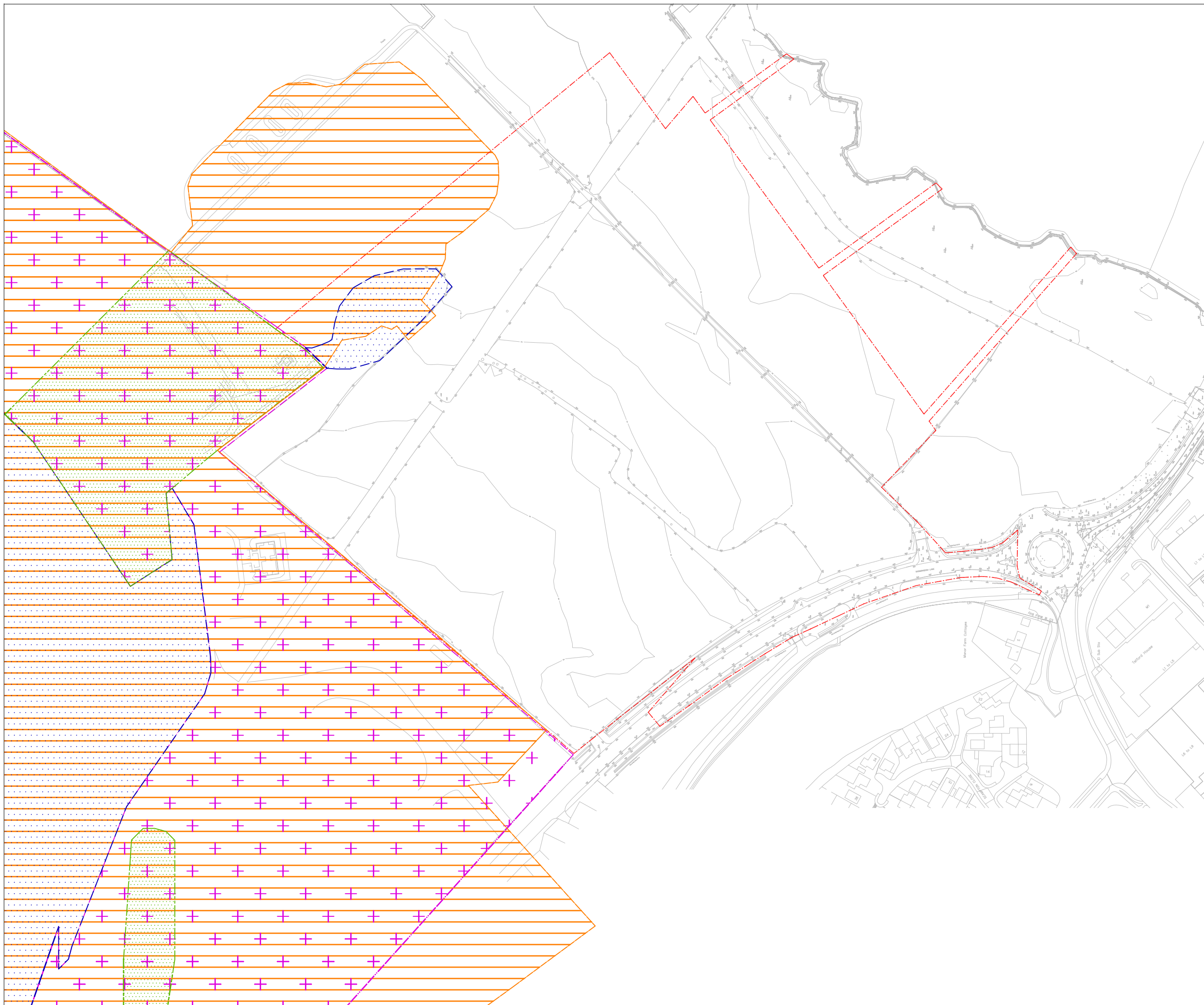


Drawing Title Drawing Size A1
BOUNDARY SHOWING FULL SITE






Drawn SM	Date Dec 14	Scale 1/1250	Coefile 3830
Reviewed by GC	Drawing No. 3830-sk02	Rev.	01



APPENDIX 2



KEY

-  Boundary to associated outline application - land north east of Skimmingdish Lane
-  Conservation Area boundary
-  Scheduled ancient monument
-  Local wildlife site
-  Proposed extension to Local wildlife site



DATE	DRAWN	DESCRIPTION OF REVISION	REVISION LETTER	CHECKED BY

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landscape architecture

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Drawing status -
FOR PLANNING

Client -
ALBION LAND

Project -
**SKIMMINGDISH LANE
BICESTER**

Drawing title -
PLANNING DESIGNATION BOUNDARIES

Drawing scale - 1:2500	Drawn by - AF	Drawn date - 29.05.2015
Paper size - A3	Checked by - GD	Checked date - 29.05.2015

Drawing number -
RF14-228L08

Revision -



APPENDIX 3

Appendix 3

Cherwell District Council Development Plan Review



Policy Reference	Policy Title	Consistency with NPPF and Commentary	Proposal's Consistency with Policy
Saved Policies of the Adopted Cherwell Local Plan (1996)			
EMP 1	Employment Generating Development	<p>Policy EMP1 is permissive of employment development on a substantial proportion of the site subject to meeting other development management criteria of the plan.</p> <p>This Policy is not inconsistent with the NPPF albeit the allocation area is considered out of date when compared to the new Draft Policy Bicester 11.</p>	Notwithstanding the changes proposed to the extent of the allocation area (as presented under Policy Bicester 11), the proposed development is consistent with this Policy.
TR1	Transportation Funding	<p>This Policy indicates that <i>"before proposals for development are permitted the council will require to be satisfied that new highway improvement works, traffic management measures, additional transport facilities or other transport measures that would be required as a consequence of allowing the development to proceed will be provided"</i>.</p> <p>This Policy is largely consistent with paragraph 32 of the NPPF which requires the identification and implementation of improvements within the transport network that cost effectively limit the significant impacts of the development.</p>	The proposed development is consistent with this Policy.
TR7	Minor Roads	<p>Policy TR7 states that <i>"development that would attract large commercial vehicles or large numbers of cars onto unsuitable minor roads will not normally be permitted"</i>.</p>	<p>This Policy is out of date and is not of relevance.</p> <p>The Transport Assessment demonstrates that the proposed development will not result in a</p>

Policy Reference	Policy Title	Consistency with NPPF and Commentary	Proposal's Consistency with Policy
		This Policy is considered inconsistent with paragraph 32 of the NPPF which indicates that development will only be resisted where residual transport impacts are severe.	'severe' impact on the highway network and is in accordance with paragraph 32 of the NPPF.
TR10	Heavy Goods Vehicles	<p>TR10 states that <i>"development that would generate frequent heavy-goods vehicle movements through residential areas or on unsuitable urban or rural roads will not be permitted."</i></p> <p>This Policy is considered inconsistent with paragraph 32 of the NPPF which indicates that development will only be resisted where residual transport impacts are "severe".</p>	<p>This Policy is out of date and is not of relevance.</p> <p>The Transport Assessment demonstrates that the proposed development will not result in a 'severe' impact on the highway network and is in accordance with paragraph 32 of the NPPF.</p>
TR20	Bicester Road Schemes	<p>Policy TR20 indicates that Land will be reserved for a number of road schemes as shown on the proposals map including the Skimmingdish Lane improvement.</p> <p>Skimmingdish Lane improvements were implemented in 2003 under the Bicester Integrated Transport and Land Use Study (2000).</p>	<p>This Policy is out of date and is not of relevance.</p> <p>The Transport Assessment demonstrates that the proposed development (including the proposed works to Skimmingdish Lane, will not result in a 'severe' impact on the highway network and is in accordance with paragraph 32 of the NPPF.</p>
C1	Nature Conservation	Policy C1 indicates that development will only be permitted where it does not result in damage to or loss of Sites of Special Scientific interest or other designated wildlife sites in including those of local nature conservation value.	<p>The proposed development is consistent with this Policy.</p> <p>Those areas considered to be of local ecological value are to be retained or provided within area of strategic landscaping.</p>

Policy Reference	Policy Title	Consistency with NPPF and Commentary	Proposal's Consistency with Policy
		This Policy is considered consistent with Section 11 of the NPPF, conserving and enhancing the natural environment.	The area of the site subject to a Local Wildlife Site designation is to be left free from development and preserved in line with its local ecological value.
C7	Landscape Conservation	<p>This Policy restricts development which causes demonstrable harm to the topography and character of the landscape.</p> <p>This Policy is inconsistent with the NPPF in that it fails to weight any harm that is bound to result from developing within the open countryside against the evidential benefits of the proposal.</p>	This Policy is inconsistent with the NPPF, out of date and therefore not of relevance.
C8	Sporadic Development in the Open Countryside	<p>This Policy indicates that sporadic development beyond the built up limit of the settlement will ordinarily be resisted.</p> <p>This Policy is considered largely consistent with the NPPF which seeks to protect the open countryside from development, albeit the allocation is in itself out dated and the proposals are consistent with the proposed allocation areas put forward in Draft Allocation Bicester 11 which can be afforded substantial weight in the determination of this application.</p>	This Policy is out of date and therefore not of relevance.
C10	Historic Landscapes	This Policy seeks to ensure that development does not harm the character or appearance of historic landscapes, parks and battlefields.	The proposed development is consistent with this Policy.



Policy Reference	Policy Title	Consistency with NPPF and Commentary	Proposal's Consistency with Policy
		<p>The Policy is largely consistent with Section 12 of the NPPF in conserving the historic environment, albeit fails to give regard to the need to consider the significance of the asset affected and the potential for the benefits of development to outweigh the potential harm.</p>	
C17	Urban Fringe Enhancement	<p>This Policy seeks opportunities to secure the enhancement of the 'urban fringe' through tree and woodland planting.</p> <p>This Policy is broadly in line with the NPPF, which seeks to incorporate biodiversity in and around developments and promote green infrastructure.</p>	The proposed development is consistent with this Policy.
C23	Character of Conservation Areas	<p>This Policy seeks the retention of existing buildings, walls, trees and other features which make a positive contribution to the character or appearance of a Conservation Area.</p> <p>This Policy accords with Section 12 of the NPPF albeit it fails to consider the level of harm to be created through the removal of such features and where these may be deemed acceptable i.e. when this harm is outweighed by the public benefit to be gained from the proposed development.</p>	The proposed development is consistent with this Policy.
C25	Historic Character – Scheduled Ancient Monuments.	Policy C25 indicates that in considering proposals for development which would affect	The proposed development is consistent with this Policy.

Appendix 3

Cherwell District Council Development Plan Review



Policy Reference	Policy Title	Consistency with NPPF and Commentary	Proposal's Consistency with Policy
		<p>the site or setting of a Scheduled Ancient Monument the Council will have regard to the desirability of maintaining its overall historic character including its protection, enhancement and preservation where appropriate.</p> <p>This Policy is broadly in accordance with Section 12 of the NPPF albeit it fails to consider the level of harm to be created by development and those instances where such harm may be deemed acceptable i.e. when it is outweighed by the public benefit to be gained from the proposed development.</p>	
C28	Design of New Development	<p>Policy C28 requires the design of buildings to be sympathetic to the character of the urban or rural context.</p> <p>This Policy is consistent with the policies of the NPPF relating to the promotion of Good Design.</p>	<p>The proposed development is consistent with this Policy.</p> <p>The Parameters Plans and Design Codes provided with this application provide additional detail on the layout and scale of the built development and areas of landscaping.</p>
C31	Residential Character	<p>Policy C31 requires development that is to be located in or around existing or proposed residential locations to be compatible with the residential character of area and not cause an unacceptable level of nuisance or visual intrusion.</p> <p>This Policy is considered consistent with NPPF.</p>	<p>The proposed development is consistent with this Policy as shown in the Noise Survey and LVIA submitted with this application.</p>

Appendix 3

Cherwell District Council Development Plan Review



Policy Reference	Policy Title	Consistency with NPPF and Commentary	Proposal's Consistency with Policy
C33	Settlement Character	<p>Policy C33 requires undeveloped gaps of land to be retained where they are important in maintaining settlement structure.</p> <p>This Policy out of date with the entire site being allocation under new draft Policy Bicester 11.</p>	The proposed development is in accordance with the allocation area set by draft Policy Bicester 11.
ENV1	Pollution Control	<p>Policy ENV1 prevents development that will cause detrimental levels of noise, vibration, smell, smoke fumes or other pollution.</p> <p>This is in line with the NPPF (paragraph 109) which states that new development should not contribute to pollution levels in the local area.</p>	The proposed development is consistent with this Policy as shown in the Noise Survey.



Local Planning and Design Guidance Documents			
Document Name	Status	Consistency with NPPF and Commentary	Proposal's Consistency with Document
Building in Harmony with the Environment (November 1998)	Supplementary Planning Guidance (SPG). Guidance subject to consultation process and formally adopted for development management purposes.	<p>The document is of some considerable age and can be afforded only limited weight in the consideration of this application.</p> <p>The document includes guidance on creating a safe environment, use of natural landscaping characteristics, making provision for renewable energy techniques, use of sustainable building materials and minimising waste production which is not inconsistent with the Framework.</p>	The proposed development is consistent with the principles of 'good design' outlined in the Framework.
Design and Layout of Employment Sites – A Guide (November 1996)	Supplementary Planning Guidance (SPG). Guidance subject to consultation process and formally adopted for development management purposes.	<p>The document is of some considerable age and can be afforded only limited weight in the consideration of this application.</p> <p>Design Guidance designed to minimise the impact of new commercial development and to encourage more appropriate and sympathetic forms of building design and layout.</p> <p>Aims of the document include encouraging high quality design for</p>	The proposed development is consistent with the principles of 'good design' outlined in the Framework.

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Cherwell District Council Development Plan Review



		<p>new commercial development and creating a good image for the District's employment areas.</p> <p>The document requires that "landscaping <i>must</i> form an integral part of the design and layout of employment sites".</p> <p>The document is not inconsistent with the Framework</p>	
<p>Conservation Areas – A General Guide (May 2010)</p>	<p>Informal Planning Guidance published by the Council and referenced as a material consideration in the determination of a planning applications, albeit the document has not been subject to consultation.</p>	<p>As informal guidance this document should be afforded only limited weight in the consideration of this application.</p> <p>The document states that "<i>the Council has a duty to assess the proposal against the need to preserve or enhance the character or appearance of the area</i>". The document also details planning controls which apply within conservation areas however does not provide guidance on controls to sites adjacent to the conservation area.</p> <p>The document is not inconsistent with the Framework</p>	<p>The proposed development is consistent with the principles of conserving and enhancing the historic environment outlined in the Framework.</p>

Appendix 3

Cherwell District Council Development Plan Review



Cherwell District Council Site Specific Design and Planning Guidance Documents			
Document Name	Status	Consistency with NPPF and Commentary	Proposal's Consistency with Document
<p>RAF Bicester Planning Brief (December 2009)</p>	<p>Informal Planning Guidance published by the Council as a material consideration in the determination of a planning applications albeit the document has not been subject to consultation.</p>	<p>As informal guidance this document should be afforded only limited weight in the consideration of this application.</p> <p>The document sets out the constraints and opportunities that are presented on the RAF site.</p> <p>The document includes reference to a RAF Bicester Safeguarding Map. Development proposals which fall within the safeguarding areas should have regard to the map and the Gliding Club operating from the RAF Site are to be notified of any proposals exceeding the suggested maximum building heights.</p>	<p>The proposed development will have no adverse impact on the operation of the gliding club or use of the Bicester Airfield as set out in the Design and Access Statement accompanying this application.</p>



APPENDIX 4

Albion Land Suggested amendments to Proposed Modifications to Submission Draft Local Plan (August 2014) as submitted to the Council in October 2014 in **RED**.

Cherwell Council Further Modifications to the Submission Version (October 2014) **Purple**

Cherwell Council Modifications as a result of the Examination hearing in **BLUE**

Area within allocation boundary as agreed at the Examination **GREEN**

Mod No.	Modification Proposed
85	<p>Amend use classes referred to in paragraph as follows:-</p> <p>The site provides the opportunity to restore the balance of housing and jobs provision in Bicester by providing for B1, B2 and B8 uses in a sustainable location in close proximity to the town's existing areas of employment and residential uses.</p>
86	<p>Amend title of site and policy as follows:-</p> <p>Strategic Development: Bicester 11 – Employment Land at North East Bicester</p>
87	<p>Delete existing text and amend policy for the site to read:-</p> <p>Policy Bicester 11 – Employment land at North East Bicester</p> <p>Development Area: 18.44ha</p> <p>Development Description: Employment development</p> <p>Employment</p> <ul style="list-style-type: none"> ▪ Jobs created – approx. 1,000. Site constraints may reduce numbers slightly. ▪ Use classes – B1, B2 and B8 uses <p>Infrastructure Needs</p> <ul style="list-style-type: none"> ▪ Open space – structured open spaces and planting that provide a strong landscape setting, support SUDs and improvement to the microclimate. <p>Key site specific design and place shaping principles</p>

Albion Land Suggested amendments to Proposed Modifications to Submission Draft Local Plan (August 2014) as submitted to the Council in October 2014 in **RED**.

Cherwell Council Further Modifications to the Submission Version (October 2014) **Purple**

Cherwell Council Modifications as a result of the Examination hearing in **BLUE**

Area within allocation boundary as agreed at the Examination **GREEN**

	<ul style="list-style-type: none"> ▪ Proposals should comply with Policy ESD16 ▪ Layout of development that enables a high degree of integration and connectivity between new and existing development, including adjoining employment areas, nearby residential areas and the town centre. ▪ Good accessibility to public transport services should be provided including providing bus stops for the site. ▪ Provision of new footpaths and cycleways to connect with the existing footpath/cycleway links around the site including along Skimmingdish Lane, to Launton Road and to services and facilities in Bicester's wider urban area. ▪ Retention and enhancement of existing Public Rights of Way, where appropriate. Diversions of public rights of way will be considered having regard to their potential impacts on rights of access. and the provision of links from the development and Bicester's urban area to the wider Public Rights of Way network ▪ A green buffer with planting immediately adjacent to the Care Home and beyond this, B1a development to surround the Care home in order to protect residential amenity. ▪ A detailed Transport Assessment to be undertaken and Travel Plan to be provided focusing on maximising access by means other than the private car including demonstration of the provision of adequate cycle parking. Consultation with the Local Highways Authority regarding potential future improvements to Skimmingdish Lane and any design implications for the development frontage. ▪ A high quality, well designed approach to the urban edge which functions as a high profile economic attractor but which also achieves a successful transition between town and country environments. ▪ Buildings that provide for an active frontage to Skimmingdish Lane and a strong gateway at the site entrance. ▪ The site lies adjacent to a designated Local Wildlife Site and a proposed Local Wildlife Site. Ecological surveys must be undertaken to identify habitats and species of value and any
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Albion Land Suggested amendments to Proposed Modifications to Submission Draft Local Plan (August 2014) as submitted to the Council in October 2014 in **RED**.

Cherwell Council Further Modifications to the Submission Version (October 2014) **Purple**

Cherwell Council Modifications as a result of the Examination hearing in **BLUE**

Area within allocation boundary as agreed at the Examination **GREEN**

	<p>mitigation measures required, including those required to mitigate cumulative impacts on Local Wildlife Sites. Features of value, including existing mature hedgerows and important trees, should where possible and appropriate be preserved, retained and enhanced. Where removal of vegetation is necessary as part of development, appropriate mitigation or replacements should be provided to and the proposals should result in a net gain in biodiversity.</p> <ul style="list-style-type: none"> ▪ Development that respects the landscape setting, and that demonstrates the enhancement, restoration or creation of wildlife corridors, and contributes towards creation of a green infrastructure network for Bicester. ▪ Development proposals to be accompanied by a landscape and visual impact assessment together with a heritage assessment. Development to be accompanied and influenced by a landscape and visual impact assessment and a Heritage Impact Assessment. ▪ A comprehensive landscaping scheme to limit visual intrusion into the wider landscape, particularly given the need to conserve the open setting, character and appearance of the Former RAF Bicester Conservation Area. ▪ Creation of a landscape buffer and appropriate planting on the north eastern boundary of the site to limit visual intrusion and preserve the setting and character of the Former RAF Bicester Conservation Area and Scheduled Ancient Monument. Sufficient landscape boundary treatment at the north eastern boundary of the development site will be agreed with the Council in conjunction with English Heritage (this may include consideration of land outside the Local Plan site area), between the site identified in the Local Plan and the scheduled ancient monument and the RAF Bicester conservation area. ▪ Conserve or enhance the setting of the RAF Bicester Conservation Area and adjoining Scheduled Ancient Monument. ▪ Preparation of an archaeological and cultural heritage assessment to inform development proposals. ▪ 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.
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Albion Land Suggested amendments to Proposed Modifications to Submission Draft Local Plan (August 2014) as submitted to the Council in October 2014 in **RED**.

Cherwell Council Further Modifications to the Submission Version (October 2014) **Purple**

Cherwell Council Modifications as a result of the Examination hearing in **BLUE**

Area within allocation boundary as agreed at the Examination **GREEN**

	<ul style="list-style-type: none"> ▪ The provision of public art to enhance the quality of the place, legibility and identity ▪ Adoption of a surface water management framework to maintain run off at Greenfield rates ▪ Take account of the Council's Strategic Flood Risk Assessment for the site ▪ A Flood Risk Assessment should be undertaken. In applying Policy ESD 7: Sustainable Drainage Systems (SuDS), detailed site analysis and ground investigation should be undertaken to establish if infiltration techniques are acceptable; it is likely that attenuation techniques will be more appropriate due to the underlying geological composition and groundwater vulnerability, taking account of the recommendations of the Council's Strategic Flood Risk Assessment and the Assessment for the site. Appropriate buffers should be provided alongside surface watercourses. ▪ No built development will be located in the Flood Zone 3b and the proposals set out in Policy ESD6: Sustainable Flood Risk Management will be followed. ▪ A need for Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1—5 ▪ An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary. ▪ A soil management plan may be required to be submitted with planning applications.
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APPENDIX 5

Appendix 5 – Emerging Local Plan Draft Development Management Policies

Those draft policies of the emerging Local Plan of relevance to this application include:

- PSD1, Presumption in Favour of Sustainable Development, indicates that planning applications that accord with the policies in the Local Plan (or other part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.
- SLE1, Employment Development, indicates that employment development on new sites allocated in the Plan will be the type of employment development specified within each site policy. Other types of employment development (B Use class) will be considered in conjunction with the use(s) set out if it makes the site viable.
- SLE4, Improved Transport and Connections, requires new developments to provide financial contributions to mitigate the transport impacts of development. All development where reasonable to do so, should facilitate the use of sustainable modes of transport to make the fullest possible use of public transport, walking and cycling. Encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.
- ESD1, Mitigating and Adapting to Climate Change, requires proposals to consider the impact of development on climate change including: considering design approaches that are resilient to climate change including the use of passive solar design for heating and cooling; minimising the risk of flooding and making use of sustainable drainage methods, and reducing the effects of development on the microclimate (through the provision of green infrastructure including open space and water, planting).
- ESD2, Energy Hierarchy and Allowable Solutions, requires proposals to give regard to the Energy Hierarchy including looking at solutions by which to reduce energy use, supplying energy efficiently, making use of renewable energy and making use of allowable solutions.
- ESD3, Sustainable Construction, requires all new non-residential development will be expected to meet at least BREEAM 'Very Good'. Cherwell District is in an area of water stress and as such the Council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day.
- ESD4, Decentralised Energy Systems requires a feasibility assessment for DH/CHP, including consideration of biomass fuelled CHP, for all applications for non-domestic developments above 1000m² floorspace.

- ESD5, Renewable Energy, requires a feasibility assessment of the potential for significant on site renewable energy provision (above any provision required to meet national building standards) for all applications for non-domestic developments above 1000m² floorspace.
- ESD6, Sustainable Flood Risk Management, requires a Flood Risk Assessment be submitted with development proposals of 1 hectare or more located in flood zone 1.
- ESD7, Sustainable Drainage Systems (SuDS), requires all development to use sustainable drainage systems (SuDS) for the management of surface water run-off.
- ESD10, Protection and Enhancement of Biodiversity and the Natural Environment, seeks a net gain in biodiversity for all development proposals. The protection of trees will be encouraged.
- ESD15, Urban Rural Fringe, requires proposals for development on the edge of the built up area must be carefully designed and landscaped to soften the built edge of the development and assimilate it into the landscape.
- ESD16, The Character of the Built and Historic Environment sites that 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.
- ESD18, Green Infrastructure, requires all strategic development sites (Section C: 'Policies for Cherwell's Places') to incorporate green infrastructure provision and proposals should include details for future management and maintenance.