

Applicant:	Oxford Technology Park Limited	
Proposal:	Hotel (Class C1) and ancillary restaurant (Class A3) including associated works, comprising the provision of parking spaces and landscaping	
Ward:	Kidlington West	
Councillors:	Cllr Alan Mackenzie-Wintle Cllr Sandra Rhodes Cllr Nigel Simpson	
Reason for Referral:	Major Development (floorspace created over 1000sqm)	
Expiry Date:	8 February 2018	Committee Date: 15 March 2018
Recommendation:	Approve	

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site, on the northern edge of Kidlington, is a 0.81 hectare rectangular piece of relatively flat land, located on the southern side of Langford Lane. The site forms part of a larger agricultural field. To the west of this field are the South Central Ambulance Service Resource Centre and Campsfield House Immigration Removal Centre. To the north, on the opposite side of Langford Lane, are buildings/hangers serving London Oxford Airport and to the east is the Oxford Motor Park which is home to a number of car dealerships. The southern boundary of the agricultural field abuts a large agricultural field which separates the application site and Campsfield House from the northern edge of Begbroke.
- 1.2. The site is part of larger site which is the subject of outline planning permission for a technology park comprising 40,362sqm of office, research and development and storage and ancillary space, subject to a number of parameters and restrictions as set out in conditions and a planning obligation associated with the consent.
- 1.3. The application site lies inside the Oxford Green Belt. The development site is ecologically sensitive with a number of protected species having been identified within the vicinity; it has also been assessed as a possible UKBAP grassland habitat and is within 2km of the Rushy Meadows SSSI. The land falls within a mineral consultation area and is potentially contaminated.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks approval for a 4 storey building on the site comprising 101 guest rooms as well as a full-service restaurant with 150 covers. The building would measure a maximum 16.4m in height (15.35m to the outer parapet). The proposed building would be located towards the north of the site and run adjacent to the highway boundary, and would roughly form an 'L-shape'. The proposed building

would be constructed from a mixture of materials, but predominantly grey fibre cement cladding and grey powder coated insulated cladding panels under single ply flat roofing behind parapet walls. The proposed hotel use would be spread across all of the floors, whilst the restaurant would be solely at ground floor level.

- 2.2. Vehicular access to the site will be taken from the main access into the site from Langford Lane. A parking area comprising 134 spaces is proposed to the south and west of the building. This area would also include a delivery bay and cycle parking stands. A swale is proposed to the front of the site and soft landscaping works are proposed on the site.
- 2.3. A screening opinion (ref: 17/00083/SO) issued by Cherwell District Council in November 2017 concluded that an Environment Statement was not required for this application. Nevertheless the application is supported by a number of technical documents and assessments including:
 - Flood Risk Assessment
 - Air Quality Assessment
 - Landscape and Visual Impact Assessment
 - Noise Assessment
 - Design and Access Statement
 - Transport Statement
 - Planning and Needs Assessments
 - Addendum Statement relating to Green Belt matters

3. RELEVANT PLANNING HISTORY

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

- 14/02067/OUT (OUTLINE) - New build Technology Park comprising 40,362 sq.m. of office, research and development, laboratory, storage and ancillary space - APPROVED on 10th October 2016. It was estimated by the applicants at this stage that the technology park would create between 770 and 1,500 jobs. The application was considered to constitute inappropriate development in the Green Belt, however the applicants were able to demonstrate very special circumstances (VSC) that overcame the harm to the Oxford Green Belt. The applicants' business need focussed VSC case had two principal strands:
 - the proposed limited review of the Green Belt boundary as set out in Policy Kidlington 1 of the Cherwell Local Plan Part 1 that would quite possibly result in the application site losing its Green Belt designation (the fact that it is part of the search area also, it was argued, confirms the locational advantages of the site); and
 - the economic benefits of releasing land for a high value employment use in this part of the District where there is an acknowledged need, given the proximity to Oxford. It was also argued that there was an immediate need to release the land. It was argued that there was a strong interest from potential occupiers of the site and that delaying

the scheme until after the Green Belt Review is ratified through Local Plan Part 2 would risk losing potential occupiers and could jeopardise the confidence of the financial support.

- 17/00559/F - Variation of conditions 1, 2, 3, 5, 7, 9 and 21 of 14/02067/OUT to enable proper phasing of the development - APPROVED on 5th June 2017. Permission was granted to revise the wording of the outline planning conditions to enable the development to come forward in phases and details to be submitted relevant to different phases of development rather than applying site wide.
- 17/01542/REM - Reserved Matters to 17/00559/F - Phase 1 of Oxford Technology Park including details of siting, design, layout and external appearances of units referred to as 1 and 3 - APPROVED on 24th November 2017. The reserved matters application related to part of the site to the east of the current application site and involved Units 1 and 3.

4. PRE-APPLICATION DISCUSSIONS

4.1. The following pre-application discussions have taken place with regard to this proposal:

- 17/00099/PREAPP - Pre-application advice was requested in respect of a technical point with regard to the class use of unit 2 within outline planning application 14/02067/OUT - Verbal advice was provided regarding what information should be submitted as part of a planning application to support the case for a hotel at the site.

5. RESPONSE TO PUBLICITY

5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 29.01.2018, although comments received after this date and before finalising this report have also been taken into account.

5.2. An objection has been received from a third party and this is summarised as follows:

- Unsuitable location for the development as staff and customers should be able to get to the site safely from the nearby settlements and this means creating new walking and cycling routes to the site.

5.3. A number of businesses that operate within the Cherwell District have submitted letters of support, including Blenheim Palace, Ozo Innovations, Blackmore Precision Engineering, and Essentra Components. Their comments are summarised as follows:

- There is a significant shortage of hotel bed space in the area and this is needed to serve the tourist destinations near the site;
- Would provide facilities to support existing and proposed businesses – business accommodation in the area for remote staff;
- Kidlington is in desperate need for the hotel proposed in order to enhance its economic position and be a viable location that can match other destinations;
- There are no local facilities in Kidlington to attract high quality businesses and this will attract businesses to the OTP;

- Customers complain about the absence of local facilities that they are able to stay at when they visit the premises;
- This would offer further employment opportunities to the locality;
- Well located being next to an airport.

5.4. The comments received can be viewed in full on the Council's website, via the online Planning Register.

6. RESPONSE TO CONSULTATION

6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

6.2. KIDLINGTON PARISH COUNCIL: **No objections.**

6.3. BEGBROKE PARISH COUNCIL: **No objections**, but there will be consequences in terms of traffic movement from this and the Technology Park that will impact Begbroke and the A44. Section 106 contributions are requested towards the provision of a signalised pedestrian road crossing on the A44 in Begbroke.

STATUTORY CONSULTEES

6.4. ENVIRONMENT AGENCY: **No objections.**

6.5. OCC HIGHWAYS: **Object** to the development for the following reasons:

- Insufficient provision of cycle parking – does not meet NPPF in terms of providing opportunities for sustainable travel.
- Further details required to ensure that the highway dedication area secured under the S278 works associated with the outline consent for the Technology Park is not encroached upon by any construction.

6.6. However if the Local Planning Authority is minded to grant permission, than OCC Highways request a linking agreement to the S106 Agreement dated 30 September 2016 entered into in respect of the existing outline consent for the Technology Park, to secure the same contributions and highway works that form part of that development. Conditions are also requested requiring a Travel Plan and Construction Traffic Management Plan to be submitted and approved, the cycle parking to be provided, and the approved SuDS Management and Maintenance Plan for the Technology Park to be updated to include maintenance responsibilities for each element across the site.

6.7. NATURAL ENGLAND: **No objections.**

6.8. THAMES WATER: **No objections** but recommends a Grampian style condition requiring the submission and approval of a drainage strategy detailing any on and off site drainage works required to address the current inability of the existing waste water infrastructure to accommodate the needs of the proposed hotel. A condition requiring approval of a piling method statement is also recommended.

6.9. As regards surface water drainage, Thames Water advise that it is the responsibility of the applicant/developer to make proper provision for drainage to ground, watercourses or a suitable sewer. A number of informatives are recommended

regarding discharging to a public sewer, arrangements for supplying water to the site, and the proximity of water mains to the development.

NON-STATUTORY CONSULTEES

- 6.10. CDC ARBORICULTURE: **No comments received.**
- 6.11. BBO WILDLIFE TRUST: **No comments received.**
- 6.12. CDC BUILDING CONTROL: **No objections.**
- 6.13. CDC ECOLOGY: **No objections** subject to conditions.
- 6.14. OCC ECONOMY & SKILLS: **Object** to the proposal. The proposals are contrary to the Cherwell Local Plan Policy Kidlington 1 which allocates the site for accommodating High Value Employment Needs. This application would replace an office building of 4116 sqm GIA with a 101 bed hotel and an ancillary restaurant of 492 sqm. This would result in the creation of a lower number of skilled jobs than the already permitted use.
- 6.15. CDC ENVIRONMENTAL PROTECTION: **No objections** subject to conditions.
- 6.16. CDC LICENSING: **No comments received.**
- 6.17. LONDON OXFORD AIRPORT: express **strong support** for the application on the grounds it will create “an appropriately designed sustainable “gateway” economic destination to the north of Kidlington” that will support the delivery of the high value employment to be accommodated at the proposed Technology Park. It is also considered that the hotel would support the business and training operations at the airport and assist in establishing a “first class aviation business hub destination”.
- 6.18. As regards safeguarding the aerodrome from development that would compromise the safety of its operations, the Airport has confirmed no objections subject to a number of observations regarding minimising bird activity (i.e. through appropriate landscaping), avoiding light pollution, and the need to liaise with the Airport if it is proposed to use cranes during the construction of the development.
- 6.19. CDC PLANNING POLICY: **No objections** provided the applicant is able to demonstrate a very special circumstances case involving the delivery of high value employment uses, and subject to the satisfactory completion of the sequential test.

Policy Officers advise that whilst the proposal is inconsistent with the aims/objectives of Policy Kidlington 1 (which identifies the site for high value employment use), the Local Plan as a whole and the Kidlington Framework Masterplan support economic growth, including tourism related development, and the Masterplan in particular highlights the potential for hotels to act as supporting uses contributing towards the economic strategy for Kidlington.

It is recognised that the hotel has the potential to support the Technology Park and business including at the airport, and tourism through the provision of accommodation for visitors for destinations such as Blenheim Palace and Oxford.

Whilst the proposal would result in the loss of part of an existing approved employment site, Policy Officers note that: *only a small proportion of the employment uses proposed in the earlier application (14/02067/OUT) would be lost to the proposed hotel use and employment development will still be provided. In line with the NPPF (para 160) if, under current economic conditions, evidence is*

provided that a hotel on a small part of the site would contribute towards site viability and delivery of the site this should be a consideration.

As a hotel use is a main town centre use, Policy Officers advise that a sequential test is required under Policy SLE2 of the Local Plan. This should be proportionate and consider alternative sites in Kidlington.

Finally, Policy Officers advise that: *Although phasing may apply, the hotel and restaurant must be delivered in conjunction with the employment proposals which should provide for the identified high value employment needs.*

6.20. THAMES VALLEY POLICE DESIGN ADVISER: **No comments received.**

6.21. CDC URBAN DESIGN: **No comments received.**

6.22. CDC LANDSCAPES: **No objections** but recommends a number of amendments to the submitted landscaping scheme, along with details of an establishment and maintenance schedule.

6.23. CDC WASTE & RECYCLING: **No comments received.**

7. RELEVANT PLANNING POLICY AND GUIDANCE

7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.

7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

CHERWELL LOCAL PLAN 2011 - 2031 PART 1 (CLP 2031 Part 1)

- PSD1 - Presumption in Favour of Sustainable Development
- SLE1 - Employment Development
- SLE2 - Securing Dynamic Town Centres
- SLE3 - Supporting Tourism Growth
- SLE4 - Improved Transport and Connections
- ESD1 - Mitigating and Adapting to Climate Change
- ESD2 - Energy Hierarchy and Allowable Solutions
- ESD3 - Sustainable Construction
- ESD4 - Decentralised Energy Systems
- ESD5 - Renewable Energy
- ESD6 - Sustainable Flood Risk Management
- ESD7 - Sustainable Drainage Systems
- ESD8 - Water Resources
- ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
- ESD13 - Local Landscape Protection and Enhancement
- ESD14 - Oxford Green Belt
- ESD15 - The Character of the Built and Historic Environment
- Kidlington 1 - Accommodating High Value Employment Need

- Kidlington 2 - Strengthening Growth Across the Rural Areas
- INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- T5 - Proposals for new hotels, motels, guesthouses and restaurants in the countryside
- C8 - Sporadic development in the open countryside
- C28 - Layout, design and external appearance of new development
- ENV1 - Development likely to cause detrimental levels of pollution
- ENV12 - Contaminated land

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Kidlington Masterplan Part 1 (2016)
- CDC Employment Land Review (2012)
- North Oxfordshire Tourism Study & Tourism Development Action Plan 2015-2020
- Cherwell Tourism Development Study (2008)

8. APPRAISAL

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

- Principle of the Development
- Principle of the Development in the Oxford Green Belt
- Design, and Impact on the Character of the Area
- Residential Amenity and Environmental Pollution
- Accessibility and Highways Safety
- Ecological Impact
- Flooding Risk and Drainage
- Sustainability and Energy Efficiency
- Other Matters

Principle of the Development

8.2. Paragraph 11 of the NPPF makes clear that: *planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.* Paragraph 12 goes on to state that: *development that accords with an up-to-date Local Plan should be approved, and proposed development that conflicts should be refused unless other material considerations indicate otherwise.* The NPPF is one such material consideration, and given it sets out the Government's policy and approach to how the planning system should operate in England, it should be afforded considerable weight in decision making.

8.3. Paragraph 14 of the NPPF contains a presumption in favour of sustainable development. It sets out that: *where the development plan is absent, silent or relevant policies are out of date, permission should be granted unless:*

- *any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework taken as a whole*

- *specific policies in this Framework indicate development should be restricted*

- 8.4. The application site is in the Oxford Green Belt, and so the development must be assessed against Green Belt policy. This is considered in the following section of this report. However, notwithstanding Green Belt policy, the site is outside the built limits of Kidlington and is technically open countryside for the purposes of applying the relevant Policies of the Development Plan.
- 8.5. In considering the principle of a hotel use in this location, there are two aspects of planning policy that must be considered. First the loss of part of the existing (approved) employment use on the site, and second the appropriateness of locating a main town centre use in this out of centre location.

Loss of Approved Employment Use

- 8.6. Policy SLE1 of the CLP 2031 Part 1 states that: *in cases where planning permission is required existing employment sites should be retained in employment use unless the following criteria are met*. There then follows a list of criteria including that the site has been appropriately marketed for employment use, that the applicant can demonstrate there are valid reasons why the site is not viable for employment use, and that the proposal would not have the effect of limiting the amount of land available for employment. The application site is considered to be an existing employment site because Paragraph B.48 which immediately precedes the Policy makes clear that: *the policy applies to sites which have planning permission for employment uses*. The site benefits from outline permission for development as a high value employment technology park, and reserved matters approval has recently been granted for the first phase of that development.
- 8.7. In addition to Policy SLE1, Policy Kidlington 1 is relevant. This identifies the application site as being within an area to be the subject of a small scale local review of the Oxford Green Belt, to accommodate the need for high value employment development that has been identified in the Development Plan. This review is to be undertaken as part of the preparatory work for Local Plan Part 2, and as such whilst Policy Kidlington 1 does not allocate land for employment development *per se*, it does indicate the broad area within which the Green Belt review will take place.
- 8.8. As noted earlier in this report (paragraph 3.1), the Council resolved to approve the outline application for development of the technology park in advance on the Green Belt review, on the grounds that it was persuaded there was an immediate need and demand for land to be released for high value employment uses in the Kidlington area, and that delaying releasing the land would risk losing investment and confidence in the land coming forward. Furthermore, considering the limited extent of the area of search identified in Policy Kidlington 1, it is unlikely there would be a more suitable or alternative site that could be brought forward for employment development as part of the work on Local Plan Part 2.
- 8.9. The proposed hotel use is not a B Class employment use as defined in Policy SLE1 (and approved under the outline consent for the Technology Park), and whilst generating some employment it is not a high value employment use as envisaged by Policy Kidlington 1. As such, and as acknowledged by the Council's Planning Policy officers, there is a degree of inconsistency and conflict with Policies SLE1 and Kidlington 1 of the CLP 2031 Part 1. This weighs against the proposal.

8.10. The applicant has submitted a number of assessments and evidence in support of the application. These will not be repeated at length here, but in summary the applicant's case is as follows:

- Hotel development is identified as "economic development" in the NPPF
- Hotels are an expected feature of modern large scale employment destinations and form a crucial element of the mix and range of services expected to be present on a modern technology park (e.g. Oxford Business Park, Oxford Science Park, Milton Park)
- There are presently no amenity facilities to attract high value employment occupiers in Kidlington and Cherwell District Council has already recognised the need for hotel development in the Kidlington area
- A hotel will act as a catalyst to attract occupiers to the Technology Park. The complimentary function of the proposed hotel will be a major locational advantage and draw for high tech, high quality companies
- A hotel will deliver wider economic benefits including providing a facility that could serve the adjacent airport and commercial development

8.11. Officers acknowledge that hotel development, being a main town centre use, is included in the definition of "employment development" at Annex 2 to the NPPF. Nevertheless Policy Kidlington 1 makes no reference to the provision of a hotel in this location, and the supporting text to Policy Kidlington 1 is very clear that the Policy is intended to support the development of a high value employment area that makes an important contribution to the District's wider economic strategy and meets the identified need for additional employment land at Kidlington. As such limited weight is given to this particular argument.

8.12. Turning to the argument that a hotel will act as a catalyst to attract occupiers to the Technology Park, Officers initially had serious reservations about this argument given it was being made so soon after the Council had decided to grant permission for the Technology Park, in large part because it had been persuaded that there was an immediate need and demand for the land to be released for employment development that would otherwise be lost. Therefore Officers requested further evidence from the applicant regarding the current interest in the Technology Park, and in particular evidence that the lack of a hotel was a determinative factor in potential occupiers not committing to the site. In summary, the applicant responded as follows:

The critical commercial requirement for the hotel is set out clearly by the agent, Bidwells, acting for the applicant, which is included at Appendix 1 of the Addendum Statement. It is the case that if the hotel facility is not provided, lettings will not be able to be completed... It is quite clear from a review of successful technology parks in the immediate vicinity that hotel development is a critical commercial component. There is a Premier Inn hotel at Oxford Business Park, and a Marriott is under construction at Milton Park. These are two direct competitors to OTP for occupiers. When taking an informed business decision about where to locate, it is common-sense that an occupier will choose a location that provides amenity facilities that will support its operation.

8.13. The applicant has further advised that whilst they are unable to release details of potential occupiers who have expressed an interest in Oxford Technology Park for commercial sensitivity reasons, there is a real latent interest and the crucial factor in securing occupiers is the lack of a hotel.

- 8.14. The proposed hotel would result in only a small loss of the existing approved employment site, and the Council's Planning Policy Officers have advised that: *In line with the NPPF (para 160) if, under current economic conditions, evidence is provided that a hotel on a small part of the site would contribute towards site viability and delivery of the site this should be a consideration.*
- 8.15. Therefore, on the first matter of the loss of approved employment use, Officers consider this could be acceptable in principle but only if the need for, and economic benefits deriving from, the proposed hotel in this location can be demonstrated.

Proposed Hotel Use

- 8.16. As already noted, Policy Kidlington 1 does not make reference to the provision of a hotel in this location and so the proposal is inconsistent with Policy Kidlington 1 to some extent. Whilst Policy SLE3 does provide broad support for new or improved tourism facilities in sustainable locations, and in particular with a view to increasing overnight stays and visitor numbers within the District, this is subject to the caveat that this is where proposals "accord with other policies in the Plan".
- 8.17. Saved Policy T5 of the CLP 1996 states that proposals for hotel development beyond the built limits of a settlement: *will generally only be approved when such proposals would:*

- *Be largely accommodated within existing buildings which are suitable for conversion or for such use; or*
- *Totally replace an existing commercial use on an existing acceptably located commercial site.*

- 8.18. The application proposal does not meet the first criteria, but could be considered to meet the second criteria given the application site is part of an existing approved employment site.

- 8.19. The Kidlington Masterplan which was adopted in December 2016 (after the CLP 2031 Part 1 which was adopted in July 2015) identifies the application site as being within a "focus for growth" area, and in close proximity to the northern gateway to the village. One of the key themes of the Masterplan is "supporting future economic success" (Theme 5), and it is stated that:

Alongside the small scale Green Belt review informing the Local Plan Part 2, the following should be considered in an overarching economic strategy for Kidlington's employment growth areas:

- *The quantum of development and size/type of premises that are required and where these are best located.*
- *Potential ways to create a more cohesive employment area with a joined up identity and marketing strategy.*
- *The potential for a business centre with shared support services, meeting and conference space.*
- *The potential for supporting uses such as small scale convenience/food & drink, hotels and other related infrastructure which can offer a better place for employees to work and serve the wider community in north Kidlington (however these should not be to the detriment of the Village Centre).*

Locations towards Oxford Road should be explored where they would form part of the 'gateway' to Kidlington from the north.

- 8.20. This is developed further in the Masterplan, with the Masterplan identifying that: *The locational advantages presented by proximity to Oxford Parkway station and Oxford's Northern Gateway development area together with improved east-west rail links and connections to Oxford could give rise to longer term opportunities for employment development. These opportunities would be strategic issues for consideration through the partial review of the Local Plan or a wider Local Plan review. Consideration could be given to mixed use development such as offices, conference centre and a larger hotel to reinforce the high value employment areas.*
- 8.21. The Masterplan has the status of being an SPD and so is a material consideration that can be afforded significant weight. That there is a broader recognised need for a hotel development in the Kidlington area is also acknowledged in the North Oxfordshire Tourism Study & Tourism Development Action Plan 2015-2020, and the various letters in support of the application proposal that have been received from existing businesses and tourist attractions in the area.
- 8.22. Therefore, on the basis of the available evidence, Officers are satisfied that there is a clear and demonstrable need for a hotel of the type proposed in this application to be provided in the Kidlington area, and that such a facility would strengthen and support the wider economic health and future business and tourism growth of the area. This weighs in favour of the proposal.
- 8.23. Having established that there is a case for the provision of a hotel in the Kidlington area, and that this would support the broader economic growth strategy of the Development Plan, it is now necessary to consider whether the application site is the most appropriate location. Hotels are a "Main Town Centre Use" as defined in Annex 2 to the NPPF. As such Policy SLE2 applies. This states that:

Retail and other 'Main Town Centre Uses' will be directed towards the town centres of Banbury and Bicester and the village centre of Kidlington...the Council will apply the sequential test as set out in the NPPF as follows:

- *Proposals for retail and other Main Town Centre Uses not in these town centres should be in 'edge of centre' locations.*
- *Only if suitable sites are not available in edge of centre locations should out of centre sites be considered. When considering edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre.*

- 8.24. Policy SLE2 also requires an impact assessment for proposals over 350sqm in the rural areas, which includes Kidlington. However these will only be required "in accordance with requirements in the NPPF". Paragraph 26 of the NPPF states that:

When assessing applications for retail, leisure and office development outside of town centres, which are not in accordance with an up-to-date Local Plan, local planning authorities should require an impact assessment if the development is over a proportionate, locally set floorspace threshold (if there is no locally set threshold, the default threshold is 2,500 sq m).

Annex 2 to the NPPF goes on to list hotels as “culture and tourism development” within the broader scope of Main Town Centre Uses, distinct from retail, leisure and office development. On the basis that the proposal is for “culture and tourism development” and not retail, leisure and office development, an Impact Assessment is not required.

- 8.25. It could be argued that the restaurant element of the hotel is a retail or leisure use that would exceed the 350sqm threshold in Policy SLE2 (being shown as 492sqm on the submitted plans). However in this case Officers are satisfied that the restaurant is an essential component of the offer of the hotel, and the hotel could not function as such without the restaurant facility. Whilst it is accepted there will be an element of independent use of the restaurant by non-residents of the hotel, the primary function of the restaurant is to serve the needs of the residents of the hotel. As such, and given it would not be appropriate or reasonable to seek to physically separate the restaurant from the hotel, the restaurant is considered to function ancillary to the primary use of the building as a hotel. This being the case, Officers are satisfied that the development as a whole does not constitute retail, leisure or office development such that an Impact Assessment would be required.
- 8.26. Turning to the sequential test, the application site is not in the village centre of Kidlington, and having regard to the definition of “edge of centre” in Annex 2 to the NPPF, should be treated as an out of centre location. The applicant has submitted a Sequential Test in support of the planning application, and this considers a number of alternative sites within Kidlington including the Co-op car park, various vacant units on High Street, the Skoda Garage site on Oxford Road, and other sites identified for potential redevelopment in the Kidlington Masterplan. However for various reasons these sites are not considered suitable or available to accommodate the size and format of hotel that is being proposed. Officers consider the sites considered by the applicant in their Sequential Test are reasonable, and having regard to the guidance in the NPPF and the PPG on demonstrating flexibility and proportionality in applying the Sequential Test, Officers are satisfied that there are no sequentially preferable sites within or on the edge of the village centre.
- 8.27. As noted above (Paragraph 8.19), Policy SLE2 states that: *When considering edge of centre and out of centre proposals, preference will be given to accessible sites that are well connected to the town centre.* There are bus stops within easy walking distance of the site providing connections to the town centre, and improvements to the bus service are being secured as part of the Technology Park development. The site is also within walking and cycling distance of the village centre, and the Kidlington Masterplan identifies several options for further improvements to transport connections between the Langford Lane employment area and the village centre.
- 8.28. Kidlington is surrounded on all sides by the Oxford Green Belt, and as such the availability of alternative sites beyond the built limits of the village capable of accommodating the proposed hotel (or a similar sized operation) is extremely limited. In this context the reasoning put forward in the Masterplan for supporting the broad principle of a hotel to the north of Kidlington (i.e. to complement and support the economic development of the area), and the fact the application site is already identified for development (both as a site with planning permission to be developed and as being within the northern gateway focus for growth in the Masterplan) are key factors that weigh heavily in favour of the hotel being provided in this location.
- 8.29. In conclusion on this issue then, it is the case that the proposed hotel would result in the loss of a small part of an existing (approved) employment site, and would to some extent be inconsistent with the aims of Policy Kidlington 1 which looks to support the delivery of high value employment use on the application site. This weighs against the proposal. However there is a clear and demonstrable need for a

hotel in the Kidlington area, and on the basis of the available evidence its provision would strengthen and support the business and tourism offer in the area, consistent with the economic growth strategy for the District. Its provision would also support the delivery of the remainder of the approved Technology Park. This is a material consideration which weighs considerably in favour of the proposal.

- 8.30. A sequential test has been submitted which demonstrates there are no other sequentially preferable sites within or on the edge of the village centre. Therefore, having regard to the economic vision contained in the Kidlington Masterplan and the broader rationale behind Policy Kidlington 1, along with the constraint of the Oxford Green Belt to developing alternative sites beyond the built limits of the village, it is considered that the principle of a hotel in this location, on part of an approved employment site, is acceptable in this instance.

Principle of the Development in the Oxford Green Belt

- 8.31. The site is in the Oxford Green Belt and so the development is assessed against Green Belt policy. Paragraph 89 of the NPPF states that: *“A local planning authority should regard the construction of new buildings as inappropriate in Green Belt.”* The proposed hotel does not fall within one of the exceptions listed under Paragraph 89 of the NPPF and is therefore inappropriate development.
- 8.32. Paragraph 87 notes that inappropriate development is, by definition, harmful to the Green Belt and should not be approved except in very special circumstances. Paragraph 88 of the NPPF states that: *“When considering any planning application, Local Planning Authorities should ensure that substantial weight is given to any harm to the Green Belt. ‘Very special circumstances’ will not exist unless the potential harm to the Green Belt by reason of inappropriateness, and any other harm, is clearly outweighed by other considerations.”*
- 8.33. Policy ESD14 of the Cherwell Local Plan Part 1 notes that within the Green Belt, development will only be permitted if it maintains the Green Belt’s openness and does not conflict with the purposes of the Green Belt or harm its visual amenities.
- 8.34. The proposed hotel is a large 4 storey building with considerable footprint, bulk and massing. It will undoubtedly urbanise the site, and will cause harm to the openness and visual amenity of the Green Belt in this location. It will also conflict with the purposes of including land in the Green Belt as listed at Paragraph 80 of the NPPF, in particular the purposes of checking the unrestricted sprawl of large built-up areas and assisting in safeguarding the countryside from encroachment. When considered with the harm to the Green Belt by reason of inappropriate, Officers consider the cumulative harm to the Green Belt is high and this weighs heavily against the proposal. Therefore, in order for the proposal to be supported, “very special circumstances” (VSC) must be demonstrated.
- 8.35. A key consideration in this case is that the site already benefits from planning permission to be developed for employment use. The scale, massing, footprint and general appearance of the proposed hotel building is comparable to that of the employment buildings already approved under the outline consent and reserved matters for the Technology Park. That consent is still capable of being implemented, and there is no evidence to suggest that development will not take place on the wider site in the form already approved. This is considered to amount to a VSC which justifies the general built form of the hotel and its impact on openness (the impact on visual amenity will be considered in the following section of this report).
- 8.36. Turning to the proposed use, as noted at Paragraph 3.1 of this report and the preceding section, the permission for the Technology Park was itself granted on

VSC, on the basis that the Council was persuaded that there was an immediate need and demand for the release of additional employment land in advance of the partial review of the Green Belt envisaged under Policy Kidlington 1. However Officers are satisfied, for the reasons expanded on in the preceding section of this report (Paragraphs 8.6 to 8.30), that the proposed hotel is also justified in this location for similar reasons i.e. there is a clear and demonstrable need for a hotel of this type to support business and tourism growth in the Kidlington area, and there are no sequentially preferable sites identified within the built limits of Kidlington to accommodate it. Although perhaps not conclusive in its own right, the applicant's evidence also suggests that the provision of a hotel will support and promote the delivery of the remainder of the approved Technology Park, so helping to realise the aims of Kidlington Village 1 and the broader economic strategy of the Development Plan for the area.

- 8.37. If the proposed hotel was not accepted on this site, it is highly likely further Green Belt release would have to be considered for such a facility to be provided in the Kidlington area. Conversely, the proposed hotel results in the loss of only 1 unit from the approved Technology Park, with 7 remaining to be delivered.
- 8.38. All in all the extant permission to develop the site, the clear and demonstrable need and demand for a hotel of this type in the Kidlington area, the lack of alternative sites that are currently available having regard to the constraint of the Oxford Green Belt, the generally supportive commentary in the Kidlington Masterplan regarding the provision of a hotel to the north of Kidlington in association with the development of high value employment uses, and the wider benefits to tourism and business growth in the District, are considered to amount to a VSC case that should be afforded considerable weight.
- 8.39. In conclusion on the matter of Green Belt, Officers are satisfied that a VSC case exists that outweighs the harm caused to the Green Belt by reason of inappropriateness and the associated harm to openness, visual amenities, and the purposes of including land within the Green Belt. The proposal is therefore acceptable in this regard.

Design, and Impact on the Character of the Area

- 8.40. Government guidance contained within the NPPF requiring good design states that good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people. Further, permission should be refused for development of poor design that fails to take the opportunities for improving the character and quality of an area and the way it functions.
- 8.41. Policy ESD13 of the Cherwell Local Plan Part 1 notes that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to the local landscape character cannot be avoided. Policy ESD13 also states that: "*Proposals will not be permitted if they would:*
- *Cause undue visual intrusion into the open countryside;*
 - *Cause undue harm to important natural landscape features and topography;*
 - *Be inconsistent with local character;*
 - *Impact on areas judged to have a high level of tranquillity;*
 - *Harm the setting of settlements, buildings, structures or other landmark features; or*
 - *Harm the historic value of the landscape."*

- 8.42. Policy ESD15 of the Cherwell Local Plan Part 1 states 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.”*
- 8.43. Saved Policy C28 of the Cherwell Local Plan 1996 exercises control over all new developments to ensure that the standards of layout, design and external appearance are sympathetic to the character of the context.
- 8.44. The site is not within close proximity to a Conservation Area, the nearest being the Oxford Canal Conservation Area over 300 metres away, nor is it close to any listed buildings, the nearest being located over 850 metres away within Thrupp. Given these separation distances, the amount of built development between these heritage assets and the site and the scale of the proposed development when considered alongside the approved office building immediately to the east, it is considered that the proposed development would not cause harm to the significance or setting of any Conservation Area or any listed buildings.
- 8.45. The application site is largely flat and is not within a sensitive landscape. The site is surrounded on its north, east and west side by other development, including the relatively high hangers at Oxford Airport.
- 8.46. The proposed hotel building would be 4 storey and of considerable height, scale and massing. It would be prominent in views from Langford Lane and in the surrounding landscape. However it would be in place of Unit 2 approved on the site under the outline consent (ref: 14/02067/OUT). Units 1 and 3 immediately to the west have recently received reserved matters approval (ref: 17/01542/REM), and the proposed hotel building is broadly similar in height, bulk and massing to Units 1 and 3. Similar buildings for Units 1, 2 and 3 were displayed in the indicative plans at the outline stage and Officers raised no concerns with the layout, mass, scale and appearance of such buildings. In fact the case officer’s report went on to note that the indicative plans show that it is possible to design a scheme which would not look out of context with the surrounding built environment.
- 8.47. Officers consider that the layout and scale of the proposed hotel building is acceptable given the above and it would not appear out of character given the scale, height and massing of the other buildings approved on the Technology Park and the relatively large hangers to the north of the site.
- 8.48. In terms of the appearance of the hotel building, it would be typical of its type utilising modern construction materials and doing little to reinforce the locally distinctive character and rural heritage of the area. That said there is an eclectic mix of buildings in the surrounding area in terms of design, a number of which have a relatively functional appearance with the use of simplistic materials, including the hangers to the north of the site and the car showrooms to the east of the site. The general aesthetics of the building would be similar to that approved on the adjacent commercial buildings within the Technology Park (Units 1 and 3). Given this and that Officers raised no serious concerns at the outline stage in relation to the appearance of commercial units on this site, it is considered that the appearance of the proposed hotel building would not be out of keeping with the current and emerging modern commercial character of the area.
- 8.49. In relation to landscaping, the Council’s Landscape Officer has commented on the submitted landscaping scheme and has made a number of recommendations to improve the landscaping so that it provides a contextually appropriate high quality setting for the development that mitigates and softens the visual impact of the

development on key visual receptors in the area. A revised landscaping scheme that addresses the Landscape Officer's comments will therefore be secured by condition.

- 8.50. Thus, subject to conditions, it is considered that the proposal would not detrimentally affect the visual amenities of the locality.

Residential Amenity and Environmental Pollution

- 8.51. Policy ESD15 of the Cherwell Local Plan Part 1 states that new development proposals should consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space. Paragraph 17 of the NPPF notes that planning should always seek to secure high quality design and a good standard of amenity for all existing and future occupants of land and buildings.
- 8.52. Saved Policy ENV1 of the Cherwell Local Plan 1996 states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke other types of environmental pollution will not normally be permitted.
- 8.53. The nearest residential properties to the site are approximately 130 metres away to the west on Evenlode Crescent. As a result, Officers consider that the proposal would not cause undue harm to any residential properties in terms of loss of light, overlooking or loss of privacy, or the creation of an overbearing effect.
- 8.54. Turning to the potential impacts resulting from the operation of a hotel use on the site, the Council's Environmental Protection Officer (EPO) has raised no objections to the proposal subject to conditions.
- 8.55. On the matter of odour, there are no details of the extraction equipment available for the restaurant, and the EPO has requested full details of a scheme for treating cooking fumes and odours before their emission to the atmosphere so as to render them innocuous to nearby residents and businesses. This matter can be conditioned should permission be granted.
- 8.56. Regarding noise, the EPO is satisfied with the noise report for the site, but as the plant for the restaurant and hotel has not been selected, the EPO has requested that a condition is attached which states that all mechanical plant should be selected and installed so as to comply with the noise levels recommend in the noise report submitted with the application. This matter can also be conditioned should permission be granted.
- 8.57. The EPO has also recommended that a Construction Environment Management Plan (CEMP) is required. Such details have now been submitted to the Local Planning Authority, however comments have not been received from the Council's EPO on this matter. Officers consider that if development is carried out in accordance with an approved CEMP, the construction of the proposal would not adversely affect nearby residential properties in terms of noise pollution.
- 8.58. In relation to lighting, no details of the external lighting scheme for the site have been provided and the Council's EPO has requested full details of lighting to ensure that these do not cause a nuisance to the neighbouring properties. This matter can be conditioned should permission be granted.
- 8.59. Finally, in relation to air quality, the EPO has raised no concerns regarding this matter and has welcomed the use of electric vehicle charging points.

Accessibility and Highways Safety

- 8.60. Policy ESD15 of the Cherwell Local Plan Part 1 states that: *“New development proposals should be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.”* Likewise, Paragraph 32 of the NPPF states that planning decisions should take account of whether *“safe and suitable access to the site can be achieved for all people”*, and Paragraph 35 states that developments should *“create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians.”*
- 8.61. Policy SLE4 states that: *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.*
- 8.62. A transport statement, PBA ref 41667/5502, dated August 2017, has been supplied with the application. This demonstrates, using TRICS survey trip rates for B1(a), hotel and restaurant uses, that the peak time traffic impact of the proposed hotel is likely to be no greater than the proposed office building that was shown on this site on the indicative plan under the outline planning application (ref: 14/02067/OUT). The Local Highways Authority (LHA) consider the assessment to be robust (the B1(a) trip rate is the same as put forward for the original outline application, and the hotel trip rate is fair). In addition the LHA has stated that no discount has been made to take account of shared trips to both the hotel and the restaurant, some of which would inevitably take place.
- 8.63. In relation to car parking, The LHA has stated that the proposals would provide 133 car parking spaces including six disabled spaces (not 134 as stated in the application as one is in front of the condenser enclosure so would not be usable as it may be required for access). Four electric vehicle charging points are provided. A parking accumulation survey has been provided which seeks to demonstrate that this is adequate. The LHA estimate that it would be adequate on the basis that 133 spaces would provide for one space per bedroom, plus 32 spaces for the non-resident restaurant customers and staff.
- 8.64. The restaurant is said to provide 150 covers. The LHA note that assuming this all to be in tables for two, this would be 75 tables. The application states that 33% of Premier Inn residents dine out in the local area, therefore 66 room occupancies would eat in (assuming full occupancy). That would leave 9 tables to be filled from guests outside. The LHA state that this is a crude calculation as it implies each table is occupied all evening by the same couple/individual, whereas in practice there would be turnover. The LHA has noted that in practice more families could come in from outside as early diners but many of the hotel guests would not have arrived by then, and hotel guests leaving to dine elsewhere are likely to drive away from this location. In other words, the LHA consider that this would balance out.
- 8.65. The application says there would be no requirement for coaches, but the LHA has stated that a hotel could well have a coach party staying over. If, on occasion, overnight parking was required for a coach, the LHA consider that this could be managed by cordoning off spaces in the car park.
- 8.66. Regarding cycle parking, the LHA has raised objections on this matter and have stated that the amount of cycle stands proposed is inadequate. The initial plans displayed only four cycle stands and the LHA recommend cycle parking for hotels is 1 stand per 10 beds and one stand per 12 staff. The LHA said they would expect to see no less than 14 secure, covered cycle stands. Since these comments were received from the LHA, the applicant's agent has provided an amended site layout

and this displays 20 cycle parking spaces. The Local Highways Authority has been reconulted since the receipt of this information, but no formal response has yet been received from the LHA. Nonetheless, officers are satisfied that these amended details overcome this concern in relation to cycle parking provision.

- 8.67. Regarding the access, this will be taken off the private access road into the Technology Park. The junction of this access road with Langford Lane will be created in accordance with a S278 agreement, for which plans are approved. The S278 agreement requires dedication of land abutting the highway boundary on Langford Lane, for the widening of Langford Lane and construction of a footway/cycleway with associated embankment. These highway improvement works are required to be implemented under the terms of the S106 Planning Obligation entered into in respect of the outline consent for the Technology Park.
- 8.68. The LHA has stated that although the building line does not appear to extend into the dedication area, the proposed drainage and/or construction below ground could potentially impact on this area. The LHA has noted that this would not be acceptable and further details will be required to demonstrate that no development will take place within the agreed dedication area. This has constituted a reason for the LHA to object to the proposal.
- 8.69. Since this response from the LHA, the applicant's agent has stated that no development will take place within this agreed dedication area. Again, whilst the LHA has been notified about this, Officers have not received a formal response on this matter from the LHA. However, given the information provided by the applicant's agent and in the absence of evidence to the contrary, this is considered to overcome the concerns raised by the LHA.
- 8.70. The proposed hotel would be developed on the site of, and instead of, one of the units approved under the outline consent for the Technology Park. The applicants have made clear that they see the hotel as being an integral part of the offer on the Technology Park, and to that extent it should be viewed as an amendment to the existing approved scheme as opposed to a stand alone proposal. Therefore, in order to secure the same improvements to the highway network and access, along with improvements to public transport, footpath and cycle links deemed necessary to make the development as a whole acceptable in planning terms, a linking agreement is required tying the development of the hotel to the obligations contained in the current S106 Agreement. This is particularly important in the hotel is delivered first in advance of any of the commercial units, to ensure the necessary highway and transport improvements are in place to make the development acceptable in highway safety and sustainable transport terms.
- 8.71. Thus, subject to conditions and a linking agreement, it is considered that the proposal would not have an adverse impact upon the safe and efficient operation of the highway network and would be acceptable in sustainable transport terms.

Ecological Impact

- 8.72. Section 40 of the Natural Environment and Rural Communities Act 2006 (as amended) places a duty on all public authorities in England and Wales to have regard, in the exercise of their functions, to the purpose of conserving biodiversity. A key purpose of this duty is to embed consideration of biodiversity as an integral part of policy and decision making. Paragraph 99 of Circular 06/2005: Biodiversity and Geological Conservation states that: *"It is essential that the presence or otherwise of protected species, and the extent that they may be affected by the proposed development, is established before the planning permission is granted, otherwise all*

relevant material considerations may not have been addressed in making the decision.”

- 8.73. Paragraph 109 of the NPPF states that: *“The planning system should contribute to and enhance the natural and local environment by...minimising impacts on biodiversity and providing net gains in biodiversity where possible.”*
- 8.74. Policy ESD10 of the Cherwell Local Plan Part 1 reflects the requirements of the Framework to ensure protection and enhancement of biodiversity. The Authority also has a legal duty set out in the Natural Environment and Rural Communities Act 2006 (NERC 2006) which states that: *“Every public authority must in exercising its functions, must have regard... to the purpose of conserving (including restoring / enhancing) biodiversity.”*
- 8.75. An Ecology Statement has been submitted alongside the application and concludes that the proposal is unlikely to have a significantly different impact when compared to the Unit 2 that was displayed on the indicative plan alongside the outline application for the technology park (ref: 14/02067/OUT). The Council's Ecologist is in agreement with this assessment.
- 8.76. However, the Ecologist has stated that the proposals will result in a smaller area of species-rich grassland within the landscaping scheme. The Ecologist has recommended that the proposed tree and native shrub planting and swale creation are similar to that shown under a soft landscape plan submitted under the outline application at the site. A landscaping plan attached as a condition could adequately deal with this matter should permission be granted.
- 8.77. The applicant's agent has provided an Ecological Enhancement Management Plan, but this does not wholly relate to the building proposed under this application, but rather the indicative plan submitted under the outline application for the Technology Park (ref: 14/02067/OUT). Thus, it is considered that a revised Management Plan and method statement for enhancing tree or shrub planting and areas of species rich grassland should be conditioned.
- 8.78. The site has been cleared of vegetation, but the Council's Ecologist has stated that if any further scrub vegetation does require cutting back or removal, this should be undertaken outside nesting bird season.
- 8.79. The existing mature hedgerow on the western boundary of the site is recognised as a feature of high ecological value, providing a wildlife corridor within the local area, and the Council's Ecologist has stated that this hedgerow should be retained and protected within the landscaping scheme.
- 8.80. The Council's Ecologist has noted that a proposed external lighting scheme, in particular along the western boundary hedgerow, should be kept to the minimum necessary to avoid impacting on a suitable bat foraging and commuting habitat and a buffer retained along this hedgerow. A detailed lighting scheme can be required as a condition should permission be granted.
- 8.81. Thus, subject to suitably worded conditions, it is considered that the proposal would not cause adverse harm to protected species.

Flooding Risk and Drainage

- 8.82. Policy ESD6 of the Cherwell Local Plan Part 1 states that site specific flood risk assessments will be required to accompany development proposals of 1 hectare or more located in flood zone 1.

- 8.83. Policy ESD7 of the Cherwell Local Plan Part 1 requires the use of Sustainable Drainage Systems (SuDS) to manage surface water drainage. This is with the aim to manage and reduce flood risk in the District.
- 8.84. The site lies within Flood Zone 1, which is land which has a less than 1 in 1,000 annual probability of river flooding and the site area is less than 1 hectare. Given this and that the area is not in one which is known to experience flooding problems, a Flood Risk Assessment is not required for such development, but one has been submitted alongside the application nonetheless. This concludes that the proposed development will be designed so that it does not increase the risk of flooding on or off site, and in particular so that surface water run-off from the development site will be dealt with via infiltration drainage. This will be achieved through flow attenuation and the use of SuDS techniques (permeable paving and infiltration soakaways).
- 8.85. The County Council, as Lead Local Flood Authority, has considered the matter of surface water drainage and comments have been provided in the LHA response to the application. The LHA has not objected to the proposal, but has stated that: *“The SuDS Management and Maintenance Plan submitted to discharge the condition on the permission for the Oxford Technology Park (ref. GL12076 dated February 2017), must be updated to include maintenance responsibility for each element of the SuDS proposed for the site. A plan showing locations of the SuDS, and access for maintenance should be included. Any health and safety considerations to be observed or any relevant Designer Risk Assessment must be included in the Plan.”* Subject to securing these details via a planning condition, Officers are therefore satisfied that the development can be made acceptable in flood risk and surface water drainage terms.
- 8.86. Turning to the matter of waste water disposal, Thames Water has suggested that there are deficiencies with the existing waste water infrastructure which mean it cannot accommodate the additional flows from the proposed hotel without improvements. A Grampian style condition has been requested, to secure submission and approval of a drainage strategy detailing the on and off site works required to accommodate the waste water flows from the development.
- 8.87. The applicant has responded by stating that a foul water connection has already been secured as part of the wider Technology Park development, and the proposed hotel will utilise this connection, using the same pump rate as have already been agreed with Thames Water for the development as a whole. Further comment from Thames Water is awaited, but on the basis that the proposed hotel would be brought forward in place of one of the approved employment units, Officers consider this is most likely acceptable and a Grampian style condition is not necessary.

Sustainability and Energy Efficiency

- 8.88. Policy ESD1 of the Cherwell Local Plan Part 1 states that measures should be taken to mitigate the impact of development within the District on climate change, and Policy ESD2 of the Cherwell Local Plan Part 1 seeks to achieve carbon emission reductions. Policy ESD3 of the Cherwell Local Plan Part 1 encourages sustainable construction and states that all non-residential development will be expected to meet at least BREEAM ‘Very Good’ with immediate effect. Policy ESD4 of the Cherwell Local Plan Part 1 states decentralised energy systems are encouraged in all new developments and that all applications for non-domestic developments above 1000m² floor space will require a feasibility assessment for decentralised energy systems. Policy ESD5 of the Cherwell Local Plan Part 1 states that a feasibility assessment of the potential for significant on site renewable energy provision will be required for all applications for non-domestic developments above 1000m² floor space. Policy ESD5 goes on to note that where feasibility assessments demonstrate

that on site renewable energy provision is deliverable and viable, this will be required as part of the development unless an alternative solution would deliver the same or increase benefit.

- 8.89. A BREEAM Assessment report has been submitted alongside the planning application which sets out how sustainability will be built into the proposal so that it achieves a BREEAM 'Very Good' rating. This considers a "base" scenario and an "extras" scenario" (in the event that the "base" scenario is not enough to achieve a Very Good rating), and the report concludes that a Very Good rating is achievable without major re-design. Officers have no reason to doubt the conclusions of the Assessment, and are satisfied that the proposal is therefore in accordance with Policies ESD1-5 in this respect.

Other Matters

- 8.90. London Oxford Airport has made a number of comments in relation to safeguarding the operational safety of the aerodrome, the majority of which it is appropriate to include as informatives on the decision notice. With regard to the comment that a Bird Management Plan is required, the applicant's agent has noted that a Bird Management Plan was approved for the wider Technology Park under 16/00533/DISC and works will be carried out in accordance with the approved details. This can be required as a condition of granting permission for the hotel.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. Paragraph 6 of the NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraphs 7 and 8 states that there are three dimensions to sustainable development: economic, social and environmental. These roles should not be sought in isolation, but to achieve sustainable development "economic, social and environmental gains should be sought jointly and simultaneously through the planning system".
- 9.2. The proposed hotel would not strictly accord with Policies SLE1 and Kidlington 1 of the CLP 2031 Part 1 in that it would result in the loss of part of an existing (approved) employment site, and would not itself constitute high value employment development as envisaged by Kidlington 1. The proposal would also constitute inappropriate development in the Green Belt with associated harm to the openness of the Green Belt and the purposes of including land within the Green Belt. The proposal would therefore result in environmental, and some economic, harm and this weighs against granting permission.
- 9.3. However, as expanded on in this report, there is a clear and demonstrable need and demand for a hotel of this type in the Kidlington area, and the evidence suggests that the provision of a hotel would strengthen and support the growth of high value business and tourism in the area, consistent with the aims and objectives of the Council's broader economic growth strategy for Kidlington and the District. Officers are satisfied that there is not a sequentially preferable site to accommodate the proposed hotel within the built limits of Kidlington, and due to the constraint of the Oxford Green Belt, locating the hotel on a site which is already identified and approved for development is an environmentally preferable solution.
- 9.4. The proposal can be made acceptable in other respects (e.g. highway safety and sustainable transport, ecology, visual impact, drainage, noise etc.). The combined economic and social benefits of the scheme, and the somewhat neutral environmental impact compared to the impact of the approved Technology Park scheme, are considered to demonstrably outweigh the conflict with the relevant Development Plan polices and amount to Very Special Circumstances sufficient to

overcome the harm to the Oxford Green Belt. Therefore Officers consider the planning balance lies in favour of the proposal and the recommendation is to grant planning permission, subject to conditions and subject to a legal agreement linking the development to the obligations contained in the S106 Legal Agreement entered into in respect of the wider Technology Park.

10. RECOMMENDATION

That permission is **granted**, subject to:

- a) Legal agreement linking the development to the obligations contained in the existing S106 Agreement entered into in respect of the wider Technology Park
- b) Conditions to secure the following (full text to be included in the Written Updates following discussion on the wording with the applicant's agent):
 1. Time Limit
 2. Approved Plans
 3. In accordance with Construction Traffic Management Plan
 4. In accordance with Bird Management Plan

Prior to Commencement

5. Revised SuDS Management and Maintenance Plan
6. Method Statement for Enhancing Biodiversity
7. Phasing Plan (hotel and wider Technology Park)

Stage Conditions

8. Schedule of all external materials and finishes
9. Revised Landscaping Scheme
10. Landscape Management and Maintenance Plan
11. Landscaping implementation
12. External lighting scheme

Pre-occupation Conditions

13. Surface water drainage to be implemented
14. Mechanical plant to be installed in accordance with Noise Report
15. Scheme for treating cooking fumes and odours from restaurant
16. Travel Plan
17. Parking laid out and made available for use
18. Cycle parking installed and made available for use