1. **APPLICATION SITE AND LOCALITY**
	1. In May 2016 outline planning consent was granted for a development of up to 48,308sqm of employment floorspace to the north of Skimmingdish Lane (application reference 15/01012/OUT).
	2. To the north and west of the application site is RAF Bicester, a designated conservation area containing a scheduled ancient monument and locally listed buildings.
	3. To the north and east of the outline application site are cultivated fields and largely open countryside with a watercourse and a strong tree lined boundary. There is a Biodiversity Action Priority habitat located on the northern part of the site. The site is partially located within flood zones 2 and 3. The public footpath running through the site has recently been diverted to run along the eastern boundary of the site instead to enable development to take place.
	4. To the south of the outline application site is a residential care home, two stories in height and of modern brick and render construction.
	5. To the south of Skimmingdish Lane is a residential area and to the south and east is the Launton Road Industrial Estate. Although buildings on it are primarily industrial there is an increasing mix of uses including recent retail units having been constructed, petrol filling stations and car sales, etc. The buildings are generally two storeys in height and mainly built in a modern, utilitarian style with simple materials, metal cladding being pre-dominant.
2. **DESCRIPTION OF PROPOSED DEVELOPMENT**
	1. The outline planning permission established the principle of development and agreed a set of parameter plans for development area and building zones, access and circulation, siting, site levels and building heights and landscaping.
	2. All matters apart from access were reserved at outline stage.
	3. This application proposed the construction of upto 48, 308 sqm of employment floorspace comprising a mix of Use Classes B1(c), B2, B8 and ancillary B1(a) offices. The application seeks a flexible consent in terms of use to allow the buildings to be used for any of the approved uses. This allows greater flexibility when marketing the buildings and meeting occupiers needs.
	4. Following the grant of reserved matters on the western side of the site (17/01289/REM and 17/01712/REM) which are now under construction, this final application deals with the remainder of the land on the eastern side of the site.
	5. The application proposes two large units. Unit 1a measures 108m x 95m and unit 1b measures 134m x 95m. This proposal differs slightly from the outline consent which indicatively showed one large unit on this side of the site.
3. **RELEVANT PLANNING HISTORY**
4. The following planning history is considered relevant to the current proposal:

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| Application Ref. | Proposal | Decision |
|  |
| 15/01012/OUT | OUTLINE - Development of up to 48,308sqm of employment floorspace (Class B1c, B2, B8 and ancillary B1a uses), the siting of buildings to the south of the site, servicing and circulation areas, vehicular and pedestrian access from Skimmingdish Lane and landscaping | Application Permitted |
| 17/01289/REM | Reserved Matters to 15/01012/OUT - The reserved matters submission relates to Phases 2a (which comprises a section of the internal spine road) and Phase 3a (in part) which has been split into 2 plots for the purposes of delivery (referred to as plots 2 and 3). This application relates to Plot 3 and represents the first built form of the development to come forward. | Application Permitted |
| 17/00098/NMA | Amendments to approved outline parameter plans (proposed as non-material amendments to 15/01012/OUT) | Application Permitted |
| 17/01712/REM | Reserved Matters to 15/01012/OUT - Phases 2b (in part) (which comprises a section of the internal spine road) and Phase 3a (in part) which has been split into 2 plots for the purposes of delivery (referred to as plots 2 and 3). This application relates to Plot 2. | Application Permitted |
| 18/00052/NMA | Non Material Amendment to 17/01289/REM - Amendments to approved plans list (Condition 1) | Application Permitted |
| 18/00053/NMA | Non Material Amendment to 17/01712/REM - Amendments to approved plans list (Condition 1) | Application Permitted |

1. **PRE-APPLICATION DISCUSSIONS**
2. The following pre-application discussions have taken place with regard to this proposal:

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| Application Ref. | Proposal |
| 17/00138/PREAPP | Reserved matters application pursuant to 15/01012/OUT for phase 3a (in part) development of site |

1. **RESPONSE TO PUBLICITY**
	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 15.05.2018, although comments received after this date and before finalising this report have also been taken into account.
	2. No comments have been raised by third parties.
2. **RESPONSE TO CONSULTATION**
	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

* 1. LAUNTON PARISH COUNCIL: No objections or comments
	2. BICESTER TOWN COUNCIL: No objections

STATUTORY CONSULTEES

* 1. OCC HIGHWAYS: The Local Highways Authority initially raised an objection but stated they felt it could be overcome with the submission of further details. Following the submission of further details, the objection was withdrawn and the following comments were provided:

The reasons for my objection to 18/00584/REM have all been addressed in the amended documents. Cycle parking provision is not quite to the level that I requested, but on reflection I consider it to be adequate.

* 1. THAMES WATER:

Waste comments: Thames Water would advise that with regard to Foul Water sewerage network infrastructure capacity, we would not have any objections to the above planning application based on the information provided.

Water comments: Following initial investigations, Thames Water has identified an inability of the existing water network infrastructure to accommodate the needs of this development proposal. Thames Water has contacted the developer in an attempt to agree a water strategy but have been unable to do so in the time available and as such Thames Water request that the following condition be added to any planning permission.

 ‘*No properties shall be occupied until confirmation has been provided that either:- all water network upgrades required to accommodate the additional flows from the development have been completed; or a housing and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed housing and infrastructure phasing plan’. Reason: The development may lead to no/low water pressure and network reinforcement works are anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand from the new development’.*

The magnitude of this development is such that significant water network treatment infrastructure upgrades will be required to accommodate the development. Thames Water requests that the following condition be added to any planning permission.

 ‘*Development hereby approved shall not commence – until an integrated water management strategy detailing, what infrastructure is required, where it is required, when it is required (phasing) and how it will be delivered, has been submitted to and approved by, the local planning authority in consultation with the water undertaker. The development shall be occupied in line with the recommendations of the strategy. Reason: The development may lead to no water and or significant environmental impacts an integrated water management strategy is required to ensure sufficient capacity is made available to cater for the new development; an in order to avoid adverse impact upon the community’.*

Supplementary comments: Having reviewed the drainage strategy documents provided, Thames Water would advise that with regard to sewerage infrastructure we would not have any objection to the above planning application provided that details of drawing S123-SW-14P are adhered to.

*Officer comment: This request for conditions is discussed in detail in section 8 of this report. The request has been carefully considered, however, the request requires the introduction of significant additional infrastructure requirements at the reserved matters stage. These matters were not previously considered during the outline planning permission and there has been no previous requirement for additional water infrastructure either within the conditions (attached to the outline planning consent) or within the Section 106 agreement attached to the development.*

NON-STATUTORY CONSULTEES

* 1. LANDSCAPE OFFICER: Having reconsidered the degree of visual harm of the unit on Skimmingdish Lane road user visual receptors and the potential harm to residential receptors to the proposed residential and existing residencies of Manor Farm Cottages, I would recommend that the southwest boundary to Skimmingdish Lane is planted with a native hedgerow and trees. Also the Swale area should be improved with native trees and scrub planting (either the landscape enhancement take place under this application or that of the swale).

I am happy to liaise with Reform on this matter (the landscape management plan and the landscape specification are acceptable).

*Officer comment: Due to the redline boundary for this application, the additional works requested are outside of the scope for this application.*

1. **RELEVANT PLANNING POLICY AND GUIDANCE**
2. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
3. 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
* BIC11 - North East Bicester Business Park
* BIC8 - Former RAF Bicester
* ESD1 - Mitigating and Adapting to Climate Change
* ESD2 - Energy Hierarchy
* ESD3 - Sustainable Construction
* ESD4 - Decentralised Energy Systems
* ESD5 - Renewable Energy
* ESD6 - Sustainable Flood Risk Management
* ESD7 - Sustainable Drainage Systems (SuDS)
* ESD8 - Water Resources
* ESD10 - Protection and Enhancement of Biodiversity and the Natural Environment
* ESD13 - Local Landscape Protection and Enhancement
* ESD15 - The Character of the Built and Historic Environment
* ESD17 - Green Infrastructure
* INF1 - Infrastructure
* SLE1 - Employment Development
* SLE4 - Improved Transport and Connections

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

* C23 - Retention of features contributing to character or appearance of a conservation area
* C25 - Development affecting the site or setting of a schedule ancient monument
* C28 - Layout, design and external appearance of new development
* C30 - Design of new residential development
* TR1 - Transportation funding
* TR10 - Heavy Goods vehicles
1. Other Material Planning Considerations
* National Planning Policy Framework (NPPF)
* Planning Practice Guidance (PPG)
* RAF Bicester Conservation Area Appraisal October 2008
* Draft Bicester Masterplan
1. **APPRAISAL**
2. The key issues for consideration in this case are:
* Principle of the Development
* Layout
* Scale
* Appearance
* Landscaping
* Other Matters

*Principle of the Development*

1. The principle of development was established following the grant of outline planning permission under planning application reference 15/01012/OUT. The parameter plans approved at the outline stage provide a framework for the determination of this reserved matters application. The previous reserved matters approvals have set the tone and character of the new estate, and this application follows that pattern.

*Layout*

1. The proposed building is considered to comply with the approved parameter plans in terms of layout.
2. The proposed buildings are located within the approved building zone and development area to the east of the internal access road which serves the site.
3. At the outline stage, the applicant indicated a single large unit on this side of the site. This has now been split into two smaller units to respond to current market demands. The buildings are still located in a similar position as previously indicated but with a small access road between them. This is considered to be an acceptable form of development for the site.
4. Due to the flexibility in the proposed uses, the application site shows a level of car parking which sits at the mid-point of the standard requirements for the proposed uses on the site. The Local Highway Authority is happy with this approach which was used on previous phases of development on this site.
5. Following the submission of additional information, the Local Highway Authority have raised no objection to the proposed layout, service yard access and layout, parking or cycle parking provision.

*Scale*

1. The proposed buildings are considered to comply with the approved parameter plans in terms of scale. The proposed buildings would have a maximum ridge height of 14.5m which is the maximum height specified within the building heights parameter plan.
2. When considering the previous reserved matter application there was consideration given to the impact upon the adjacent Conservation Area and views across the airfield from the control tower. It was accepted that as the site was allocated for these uses, and the proposal fell within the parameters approved at outline stage that buildings of the scale proposed were acceptable, and indeed lower than could have been proposed. This phase continues the pattern set previously with the current phase being located at the furthest distance on the site away from the Conservation Area.
3. The impact of the proposed development on the setting of the adjacent designated conservation area and heritage assets was carefully considered at the outline application stage where it was concluded that there was not significant harm to heritage assets and that the public benefit of the proposal in terms of employment would go towards outweighing in harm in planning terms. Notwithstanding this conclusion, the proposed development is not considered to cause additional harm beyond that identified at the outline application stage and it apparent that attempts have been made by the developer to minimise any perceived impact of the development through additional landscaping, increased buffer zones and the design of the buildings.

*Appearance*

1. The proposed buildings are of modern appearance and are consistent with the intended functions of the buildings. The building would be clad externally using steel cladding in a range of profiles to add interest to the external elevations of the building. It follows the colour and profiling palette approved for the buildings on the previous phases. The roof of the building will be covered using an unspecified composite roofing system. This is considered acceptable. All of the buildings are provided with a good amount of glass and is an increase on that in the first phase as had been indicated at that time.

*Landscaping*

1. The proposed landscaping scheme is considered to provide satisfactory screening of the building. The Landscape officer requested some additional hedgerow and tree planting to the front of the building facing Skimmingdish Lane and within the swale. Both of these areas are outside of the redline site area for this reserved matters application and therefore outside of the scope for this application. The landscapeing is meets with the agreed parameters plans and is considered to provide an acceptable urban realm.

*Other Matters*

1. Thames Water have raised concerns regarding the capacity of the existing network to meet provide a water supply to the development. Two conditions were requested requiring the developer to carry out infrastructure upgrades.
2. Following the consultation response submitted by Thames Water, the applicant made the following comments: *‘The response suggests that the existing water network infrastructure is not capable of accommodating the needs of the development. The development is, however, a committed development, for which planning permission was granted in 2016. The site and scheme has been the subject of long term engagement with Thames Water, and the network connections have all been previously agreed with Thames Water. I can provide copies of correspondence with Thames Water to confirm this is the case if necessary.*

*It would be a derogation from the grant of planning permission to seek to introduce additional infrastructure requirements in connection with the development at this stage (and therefore unlawful). The consultation response refers to the occupation of dwellings/a housing phasing plan and so it may be the case that the response from Thames Water has been received in error’.*

1. The suggested wording for the two conditions is unclear about the extent of work that may be required and could have undetermined cost implications for the developer. Furthermore, this issue was not raised at the outline planning stage when the principle of the development and the development parameters were agreed. This application only seeks consent with regards to the outstanding reserved matters which are: layout, scale, appearance and landscaping.
2. Having considered the comments made by Thames Water and the applicant, the Council has concluded that the introduction of significant infrastructure works at the reserved matter stage would be unlawful. Furthermore, the applicant will be required to seek consent from Thames Water directly prior to making a connection to the water infrastructure network. As such, the conditions have not been included in the final recommendation.
3. **PLANNING BALANCE AND CONCLUSION**
4. The NPPF that the purpose of the planning system is to contribute to the achievement of sustainable development. Paragraph 8 requires that the three dimensions to sustainable development (economic, social and environmental) are not undertaken in isolation, but are sought jointly and simultaneously.
5. The proposed development is considered to comply with the parameter plans agreed at the outline stage of development and is considered to represent an appropriate form of development in terms of layout, scale, appearance and landscaping. This application is complies with the policies outlined in Paragraph 7 of this report and is therefore recommend for approval subject to the conditions outlined below.

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| 1. **RECOMMENDATION**

That permission is granted, subject to the following conditions:TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS1. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the application forms and the following plans and documents:
* 17007/TP/1001 – Site Location Plan – Submitted 05.04.18
* 17007/TP/1002 – Proposed Site Location Plan – Submitted 05.04.18
* 17007/TP/1003 Rev A – Proposed Site Plan – Submitted 25.05.18
* 17007/TP/1004 Rev A – Proposed External Finishes – Submitted 25.05.18
* 17007/TP/1005 – Unit 1A Ground Floor Plan – Submitted 05.04.18
* 17007/TP/1006 – Unit 1A First Floor Plan – Submitted 05.04.18
* 17007/TP/1007 – Unit 1A Second Floor Plan – Submitted 05.04.18
* 17007/TP/1008 – Unit 1A Section – Submitted 05.04.18
* 17007/TP/1009 – Unit 1A Elevation – Submitted 05.04.18
* 17007/TP/1010 – Unit 1A Roof Plan – Submitted 05.04.18
* 17007/TP/1011 – Unit 1B Ground Floor Plan – Submitted 05.04.18
* 17007/TP/1012 – Unit 1B First Floor Plan – Submitted 05.04.18
* 17007/TP/1013 – Unit 1B Second Floor Plan – Submitted 05.04.18
* 17007/TP/1014 – Unit 1B Section – Submitted 05.04.18
* 17007/TP/1015 – Unit 1B Elevations – Submitted 05.04.18
* 17007/TP/1016 – Unit 1B Roof Plan – Submitted 05.04.18
* 17007/TP/1017 – External Works Details – Submitted 05.04.18
* 17007/TP/1018 Rev A – Cycle Shelter Details – Submitted 25.05.18
* RF14-228-L23 – Planting Plan 1 of 2 – Submitted 05.04.18
* RF14-228-L24 – Panting Plan 2 of 2 – Submitted 05.04.18
* 15230-21A-1 – HGV Tracking Unit 1A – Submitted 05.04.18
* 15230-21A-2 – HGV Tracking Unit 1B – Submitted 05.04.18
* 1386-ESC-ZZ-ZZ-DR-E-2100 Rev P1 – External Lighting Layout – Submitted 05.04.18
* S1344-E-01 – Drainage Layout – Submitted 05.04.18
* S1344-E-02 – External Works Layout – Submitted 05.04.18

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework. CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE 1. Prior to their installation, full details of the doors and windows hereby approved, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

 Reason – To ensure the satisfactory appearance of the completed development and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.  CONDITIONS REQUIRING LOCAL PLANNING AUTHORITY WRITTEN APPROVAL OR TO BE COMPLIED WITH BY DEVELOPER BEFORE OCCUPATION 1. Prior to the first use of any building, the external lighting shall be installed and maintained in accordance with drawing number 1386-ESC-ZZ-ZZ-DR-E-2100 Rev P1 (External Lighting Layout) unless otherwise approved in writing by the Local Planning Authority.

Reason – To ensure the satisfactory appearance of the completed development I have and to comply with Policy ESD 15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework 1. The cycle parking proposed shall be installed prior to first occupation of the buildings in accordance with the details contained in drawing no. 17007/TP/1018 Rev A and thereafter maintained as such.

 Reason – In the interests of sustainability, to ensure a satisfactory form of development and to comply with Policies SLE4 and ESD1 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework. 1. Prior to the first occupation of the development hereby approved, full details of any mechanical ventilation or extraction equipment (if applicable) shall be submitted to and approved by the Local Planning Authority. Thereafter, and prior to the first occupation of the development, the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.

Reason – In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework. CONDITIONS TO BE COMPLIED WITH AT ALL TIMES 1. Notwithstanding the provisions of Class A of Part 2, Schedule 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015 and its subsequent amendments, no gate, fence or other means of enclosure shall be erected, constructed or placed on the site (other than those shown in the approved plans) without the express planning consent of the Local Planning Authority.

 Reason – To ensure that satisfactory provision for vehicular turning within the site in the interests of highway safety in accordance with Government guidance contained within the National Planning Policy Framework. 1. Notwithstanding the details shown on drawing number 17007-TP-1017 (External Works Details) the proposed fence and gates shall be coloured black (RAL 9005).

Reason – To ensure that the colour of the fence is in harmony with the external appearance of the development hereby approved and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. 1. All buildings hereby approved shall be constructed to achieve at least a BREEAM ‘Very Good’ rating based on the relevant BREEAM standard for that building type applicable at the time of the decision.

Reason – To ensure sustainable construction and reduction of carbon emissions in accordance Policy ESD 3 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework. 1. No goods, materials, plant or machinery (other than those associated with the day-to-day comings and goings) shall be stored, repaired, operated or displayed in the open without the prior express planning consent of the Local Planning Authority.

 Reason – In order to safeguard the visual amenities of the area in accordance with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework1. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

 Reason – In the interests of the visual amenities of the area, to ensure the creation of a pleasant environment for the development and to comply with Policy ESD15 of the Cherwell Local Plan 2011-2031, saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.   |

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| Case Officer:  | Rebekah Morgan | DATE: 09/07/2018 |
| Checked By:  |  | DATE:  |