

## Record of individual Cabinet member decision

Local Government Act 2000 and the Local Authorities (Executive Arrangements) (Meetings and Access to Information) (England) Regulations 2012

<b>Decision made by</b>	Councillor Debby Hallett
<b>Key decision?</b>	No
<b>Date of decision</b> (same as date form signed)	7 April 2022
<b>Name and job title of officer requesting the decision</b>	Adrian Butler – Principal Major Applications Officer
<b>Officer contact details</b>	Tel: 07801 203 599  Email: <a href="mailto:adrian.butler@southandvale.gov.uk">adrian.butler@southandvale.gov.uk</a>
<b>Decision</b>	To undertake a minimum 28 day period of public consultation on the draft Didcot Technology Park Local Development Order - land at Hill Farm, Appleford. OX14 4PJ
<b>Reasons for decision</b>	<p>The local planning authority is required by section 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 to consult on the Local Development Order (LDO) with the consultation period to be not less than 28 days.</p> <p>The site is part of the Didcot Growth Accelerator Enterprise Zone. It is also located within the Didcot Garden Town Master Plan area and is identified as a potential employment site in the Didcot Garden Town Delivery Plan that will help to generate some of the 20,000 new jobs in the area by 2031.</p> <p>The draft Local Development Order (LDO) extends permitted development rights; meaning that certain development can take place without the need for planning permission, potentially saving cost and time to businesses and developers.</p> <p>The draft LDO comprises a maximum of 115,000 sq m of floorspace and the following uses:</p> <ul style="list-style-type: none"> <li>• Class B2 General Industry - up to 5,000 sq m of which 500 sq m will be for a waste management facility retaining an existing wood recycling business on site;</li> <li>• Class B8 Data centre (and no other use within Class B8) - up to</li> </ul>

110,000 sq m;

- Class B8 Battery storage (and no other use within Class B8) - up to 20,000 sq m

A LDO will make it easier and quicker for new companies to innovate, grow and adapt to changing market opportunities and for developers who bring the enabling capital investment online to support and encourage this process.

The draft LDO sets out parameters and business uses for new development and responds or mitigates impacts identified through evidence studies. Planning conditions can be secured through the LDO and design guidance to ensure high quality development for the site has been produced to support the LDO

The Didcot Garden Town Delivery Plan indicates this site has potential for mixed use development and high-tech job growth. If granted, the council would monitor effectiveness of the LDO and charge for the pre-development notification.

Section 38 of the Town and Country Planning (Development Management Procedure) (England) Order 2015 requires that where a local planning authority propose to make a Local Development Order they must first prepare:

- (a) a draft of the order; and
- (b) a statement of their reasons for making the Order.

A draft LDO has been prepared and this includes the statement of reasons for making the Order as follows:

#### **“Introduction**

Established in 2011 following a successful bid by the Oxfordshire Local Enterprise Partnership (“LEP”), Science Vale UK is an area of southern Oxfordshire that is specifically identified as an area of growth. It is considered to be the UK’s leading centre for science, technology and innovation, with the ambition of creating a globally significant ‘hot-spot’ for enterprise and innovation.

Within Science Vale UK are areas which are afforded official Enterprise Zone status, comprising Harwell, Milton Park and the Didcot Growth Accelerator (within which the LDO Site falls). The purpose of the Science Vale Enterprise Zones is to provide the support networks necessary to garner a culture of innovation, and to capitalise on the status of the Science Vale as home to the highest concentration of science R&D facilities in Western Europe.

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that proposals will be determined in accordance with the development plan unless material considerations indicate otherwise.

#### **VWHDC Development Plan (and other documents)**

The adopted Development Plan relevant to the LDO Site is the following:

- The Vale of White Horse Local Plan 2031 Part 1 (the LPP1)

- The Vale of White Horse Local Plan 2031 Part 2 (the LPP2)
- Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy
- Oxfordshire Minerals and Waste Local Plan 1996 saved policies

Supplementary planning guidance in the form of the Vale of White Horse Design Guidance SPD the National Planning Policy Framework and National Planning Practice Guidance are also a material planning consideration.

The LPP1: Strategic Sites and Policies (2016) emphasises the presumption in favour of sustainable development and indicates the importance of the economic role of sustainable development to contribute to building a resilient, responsive and competitive economy through delivery of land in the right locations to support growth.

The LPP1 acknowledges that overall demand for employment land in the District is strong, due to a combination of the quality of environment, high-quality research and science facilities, a large catchment of skilled labour, and the growth aspirations of the existing provision. Demand for growth is expected to remain buoyant throughout the Development Plan period. The LPP1 makes clear that employment provision within the District is led by Science Vale UK, within which the LDO Site falls.

This Local Plan strategy makes provision for around 218 hectares of strategic employment land for new employment development in accordance with the assessed needs, set out in the Employment Land Review. It is anticipated that this will deliver approximately 23,000 jobs between 2011 and 2031. Proposals for employment related development on unallocated sites will be supported in accordance with Core Policy 28: New Employment Development on Unallocated Sites.

The new Oxfordshire Minerals and Waste Local Plan (OMWLP) comprises the Part 1 – Core Strategy and Part 2 – Site Allocations (Part 2 is now being prepared). The Core Strategy Part 1 provides the planning strategies and policies for the development that will be needed for the supply of minerals and management of waste in Oxfordshire over the period to the end of 2031.

Policy W11 sets out the types of site that will be safeguarded. Sites that are allocated for waste management development in the Site Allocations Document under policy W4 will also be safeguarded. Policy W11 provides that there should be a presumption against development that could compromise the future use of a safeguarded site for waste purposes.

The LDO Site is identified as a safeguarded site “Hill Farm (J James Ltd)” (Ref 144) for recycle and/or transfer facility. Proposals for development that would directly or indirectly prevent or prejudice the use of a site safeguarded for waste management will not be permitted unless:

- the development is in accordance with a site allocation for development in an adopted local plan or neighbourhood plan; or
- equivalent waste management capacity can be appropriately and sustainably provided elsewhere; or

- it can be demonstrated that the site is no longer required for waste management.

The LPP1 sets out the Spatial Strategy, 'Building on our Strengths' to help shape where new homes will be built, where opportunities to provide new jobs will be created, and where new infrastructure and services will be provided. The LPP2 also allocates an additional site to deliver 400 homes within the Science Vale area to provide continuing support for economic growth, to support the delivery of strategic infrastructure and facilitate comprehensive master planning. The LPP2 policies are structured into the four thematic areas as set out in the LPP1. These are:

- Building Healthy and Sustainable Communities
- Supporting Economic Prosperity
- Supporting Sustainable Transport and Accessibility
- Protecting the Environment and Responding to Climate Change.

The Council will consider the impact of development proposals on amenity in accordance with Development Policy 23: Impact of Development on Amenity. Development will not be permitted if it is likely to be adversely affected by existing or potential sources of noise, emissions, pollution and dominance of visual intrusion.

Development Policy 25: Noise Pollution seeks to ensure that development proposals set out a scheme of mitigation, where noise-generating development would otherwise result in an unacceptable impact on neighbouring uses, environment or biodiversity. Developers should also take into account Core Policy 44: Landscape in the LPP1 if proposals are likely to impact on the landscape.

National planning policy is clear on the importance of taking into account the potential impacts of air quality when assessing development proposals. Furthermore, legislative limits are set for concentrations of major air pollutants that may impact on public health, amenity and local biodiversity, such as airborne particulate matter and nitrogen dioxide.

Development proposals located within these areas will need to demonstrate how they take into account the Council's Air Quality Action Plan in accordance with Core Policy 43: Natural Resources. Proposals will be considered in accordance with Development Policy 26: Air Quality.

Development Policy 27: Land Affected by Contamination requires developers to address all land contamination risks to the development, environment, controlled waters and adjacent land associated with the development. Development Policy 27: Land Affected by Contamination will be used by the Council to assess and determine the suitability of development proposals by considering the potential implications of any existing contamination for the new development, environment, controlled waters and adjacent land, and to also ensure that developers are able to demonstrate that the proposal will prevent unacceptable risk from pollution in the future. Where development, redevelopment or re-use is proposed on or adjacent to land that is suspected or known to be contaminated, proposals should be accompanied by an appropriate level

of information in the form of a Contaminated Land Preliminary Risk Consultant Report.

#### *National Planning Policy Framework*

The June 2021 National Planning Policy Framework (“NPPF”) identifies the purpose of the planning system as being to contribute to the achievement of sustainable development, particularly economic, social and environmental objectives.

The NPPF seeks to build a strong and competitive economy, and advocates planning decisions that create conditions in which businesses can invest, expand and adapt. The importance of Britain becoming a global leader in driving innovation, including in the field of big-data, is emphasised. Paragraph 83 of the NPPF also directs planning decisions which recognise the locational requirements of different sectors, including clusters or networks of knowledge and data-driven, creative or high-technology industries, as well as storage and distribution operations at a variety of scales.

The NPPF states that development should only be refused on highways ground if there would be a severe unacceptable impact. It promotes the effective use of land, including the development of ‘previously developed’ or ‘brownfield’ land. It encourages developments which are well designed, visually attractive as a result of good architecture and layout, with appropriate and effective landscaping. The NPPF requires the consideration of climate change, including flooding, along with the natural environment, pollution, and energy usage.

#### **Planning History**

Whilst the Site is predominantly undeveloped, the area subject to this LDO and the immediate adjoining land has an extensive planning history. However, the primary permission of relevance to the principle of development is the waste recycling facility at Hill Farm which was granted planning permission in July 2011. Application reference P11/V1528/CM granted planning permission for a “*wood recycling facility-repair and recycling wood pallets*”.

The planning permission was issued subject to conditions in September 2011 but did not include any definition on the Use Class permitted by the decision notice. The delegated report also makes no reference to any particular Use Class, but it summarises the activities that took place and have also subsequently been extended through later permissions. Used wood pallets are brought onto the site (presumably having been discarded as unusable) and either repaired and resold as pallets or, if they cannot be repaired, they are subject to another process, or series of processes, that transforms them into chips which are sold for equestrian use to dress exercise yards and trails (i.e. to provide a safe and compliant surface). The creation of the wood chips is the making of an article and therefore the activities fall within Use Class B2 (general industrial).

The other main permission of relevance is the various planning permissions relating to the Sutton Courtenay Landfill Complex to the north of Didcot Power Station. Planning permission was originally granted in

January 1997 for the extraction of sand and gravel and restoration controlled by landfill (Application reference P85/V00028). This mineral extraction and landfill operations has been extended by multiple planning permissions over the years and predominantly is confined to land outside of the area covered by the LDO. However, the relevant planning permissions included a restoration condition to create a wet woodland habitat which has now been fulfilled. The wet woodland habitat falls within the area subject to the LDO.

## **Development Assessment**

### **Principle of Development/Land Use**

The Science Vale is a centre for science, technology and innovation, with the ambition of becoming a globally significant 'hot-spot' for enterprise. The site is explicitly identified for redevelopment as part of the Didcot Growth Accelerator Enterprise Zone, within the Science Vale growth area.

The LDO proposals reflect the ambitions of LPP1 Core Policy 1, which indicates the importance of the economic role of sustainable development to contribute to building a resilient, responsive and competitive economy, through delivery of land in the right locations to support growth.

Through its role in supporting the knowledge and digital economy, the proposed Uses within the LDO will contribute to the ambitions of Science Vale to attract business and enterprise in the fields of science and technology.

It is anticipated that during its operational phase the Uses forming the LDO will be a significant generator of full time and high skilled jobs and will contribute to the high-skilled labour pool within the VWH and Science Vale area. Furthermore, the proposals will provide a valuable injection into Science Vale through spill-over effects arising from the clustering of high-tech operators, high value activity to the supply chain of products and services. The Data Centre use in particular will also meet the needs of other businesses by providing essential support for the digital economy nationwide. The proposed B2 General Industrial floorspace will deliver much needed space in a sector which is 30-40% lower than elsewhere as directed by the Didcot Enterprise Zone. The battery storage Uses on the Site will allow the storage of renewable energy at a time of oversupply allowing for peak shifting of the power requirement of the data centre while additionally allowing participation in National Grid balancing market to boost the Site's green credentials.

The proposed LDO development is further supported by the NPPF, which (at paragraph 81), requires that planning policies and decisions should *"...help to create the conditions in which businesses can invest, expand and adapt. Significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development"*.

The principle of the LDO and the proposed land uses including B2 general industrial, Data Centre and, battery storage Uses, which are uses within the technology sector, is clearly supported by the Development

Plan and NPPF policy and represent a strong benefit. The LDO Site is not allocated as an employment site in LPP1 and therefore Core Policy 28 'New Employment Development on Unallocated Sites' applies.

Core policy 28 states that proposals for new employment development (Use Classes B1, B2 or B8) will be supported on unallocated sites in or on the edge of, the built-up area of Market Towns, Local Service Centres and Larger and Smaller Villages provided that the benefits are not outweighed by any harmful impacts, taking into account the following:

- i. the effect on the amenity of nearby residents and occupiers*
- ii. the provision of safe site access for pedestrians and cyclists and for all types of vehicles likely to visit the sites, and measures to promote the use of sustainable modes of transport where possible, and*
- iii. the scale, nature and appearance of the employment development and its relationship with the local townscape and/ or landscape character*

In the first instance the area covered by the LDO is directly adjacent to the built up area of Didcot and therefore fulfils the gateway test of Core policy28.

It has been demonstrated in the supporting technical information submitted in conjunction with the LDO - such as the Environmental Noise Survey Report, Landscape Visual Impact Assessment and Transport plan - that the amenity of nearby residents and occupiers will not be affected in terms of noise, air quality or disturbance. Furthermore, these elements will also be suitably controlled through the use of conditions within the LDO which will require further details and evidence relating to noise impact and control of emissions.

The LDO includes extensive pedestrian and cycle routes throughout the LDO Site and into the surrounding network coordinated with the proposed Didcot to Culham River Crossing proposals by Oxfordshire County Council that passes through the proposed site. Multiple crossings will be provided for safe access and movement within the Site. These new pedestrian and cycle routes will also provide connections and ability for future connections into wider network of surrounding residential areas, Didcot town centre and the railway station to create a highly accessible development by a range of public transport options and healthy living alternatives.

The LDO is accompanied by a number of parameter plans which control the scale and massing of the permitted development which has been informed by a Landscape Visual Impact Assessment. The Landscape and Visual Appraisal looked at the landscape setting and context of the site and examined the baseline condition and key factors that are important, and which contribute to the character, condition and quality of the landscape. The analysis of the landscape and visual factors has been used to inform the process of defining a set of parameters for the site in terms of potential development and which has resulted in a lower maximum height threshold for the northern parcel of the LDO to respect its slightly more sensitive location.

The Appraisal concluded that the site's susceptibility to change is low and therefore the overall sensitivity is low noting the context of a number of large scale industrial uses and landscape detractors. Overall the LDO site is well located for the type of development proposed and will not cause unacceptable harm to the surrounding landscape or to visual receptors. The parameters within which the site will be developed have been considered with landscape and visual impacts in mind and together with addressing the landscape strategy, the appearance and design of the buildings will seek to minimise any impacts. Overall the landscape and biodiversity proposals will aim to achieve a net benefit in terms of green infrastructure and habitat creation and will therefore assist in repairing a damaged landscape.

The LDO therefore complies with Core Policy 28 as an exception policy to allow new employment development on an unallocated site.

The LDO site is not allocated in the Local Plan for any purpose. The existing temporary waste recycling facility at Hill Farm, is a safeguarded site in the OMWLP and therefore has explicit recognition in the plan as a compliant site with a permitted recycling operation that provides recycling capacity in the county. It is considered that the current Use Class of the Hill Farm facility falls within Class B2.

Policy W11 of the OMWLP provides that proposals for development that would directly or indirectly prevent or prejudice the use of a site safeguarded for waste management will not be permitted unless:

- the development is in accordance with a site allocation for development in an adopted local plan or neighbourhood plan; or
- equivalent waste management capacity can be appropriately and sustainably provided elsewhere; or
- it can be demonstrated that the site is no longer required for waste management.

In this instance, the LDO masterplan parameter plans would necessitate the relocation of the existing waste management facility as the development zone is located on the same site. However, the LDO provides for 5,000 sqm of B2 floorspace and it is proposed that an equivalent capacity for the existing waste management facility can be provided within that floorspace allowance.

The benefit of realising key objectives of the LDO in the public interest, most notably the socio economic benefits in investment in the science, technology and innovation section of the Vale. Indeed, data centres are integral infrastructure to delivering the Council's ambition of creating a globally significant 'hot-spot' for enterprise and innovation.

Data centres generate high value-add technical and engineering jobs and provide the kind of cloud operations and services that will enable our transition to an efficient, digitally enabled future. A single data centre can provide the IT function for thousands of businesses.

Data centres drive significant investment in local communications infrastructure which in turn draws in other businesses. Without the

catalyst of the data centre the network infrastructure would not be upgraded.

The LDO also includes battery storage facilities to store renewable energy at a time of oversupply, allowing for peak shifting of the power requirement of the data centre while additionally allowing participation in National Grid balancing market and help stabilise the grid. The battery storage provision contributes to the other energy efficiency measures of the buildings to offer a cleaner and adaptable solution to energy use.

A strategic aim of the Local Plan is to support economic growth in the area and meet the needs of businesses by ensuring suitable sites are available to meet employment growth. The inclusion of B2 General Industrial floorspace helps support the continued development of the wider Science Vale and science-based research through much needed alternative floorspace that supports this economy. The ability to include B2 floorspace as part of the LDO masterplan will deliver much needed business space to help the District meet a range and variety of business needs to meet the full economic potential of the Enterprise Zone as there is currently an identified shortfall of this form of general industrial Use. In addition, a portion of this B2 floorspace will be dedicated as a replacement waste recycling facility of equivalent capacity or value as the existing facility on the Site in complete accordance with Policy W11 of the Oxfordshire Minerals and Waste Local Plan Part 1 – Core Strategy

The LDO also secures funding for elements of road and pathways to connect routes across and provide access to the site from the proposed Didcot to Culham River Crossing road infrastructure and wider area that has been safeguarded through the Local Plan in the Culham to Didcot Link road. In order to deliver the growth in the South East Vale Sub-Area and the wider Science Vale area, the Science Vale Area Strategy has identified highways infrastructure to mitigate the impact of the planned growth across Science Vale and secure the future economic viability of the area. The funding of these transport connectivity elements to the A4130 link proposed Didcot to Culham River Crossing road and wider area is a significant public and sustainable transport benefit derived from the LDO that would not be forthcoming in the immediate future without this investment.

It is concluded that the socio-economic benefits through the funding of infrastructure, inward investment, the promotion of economic growth is adjudged to be of overriding public benefit and is the driving force in support of this LDO.

### **Transport and Access**

The proposed LDO is located within easy reach of public transport, with a pair of bus stops to be delivered in the centre of the site, and has adequate provision for loading, circulation, turning and parking (as shown in swept-path drawings provided in the Transport Assessment). The proposals accord with the requirements of LPP1 Core Policy 33 and Core Policy 35.

The LDO will facilitate via a Section 106 agreement and land dedication in

conjunction with Oxfordshire County Council the delivery of a section of the Didcot to Culham River Crossing and a variety of sustainable access points to the proposed site including two new bus stops, cycling and pedestrian parallel crossings and extensive routes through and into the site via the new and existing road network including safeguarding of land to the east of the site for a future railway crossing. Further cycle and pedestrian paths, and via bridleways will be provided under the LDO site works to connect each development plot and wider off-site connections including Sustrans NCN5 cycle route. Furthermore, each Development Zone will deliver a high ratio of cycle parking spaces to car parking spaces, with cycle parking to be located in prominent locations near building entrances and accompanying showering and changing facilities. To promote sustainable modes of transport, a Green Travel Plan is required prior to occupation of the development. In accordance with, Core Policies 33 and 35 of the LPP1, Development Policy 17 of the LPP2 and the NPPF.

The LDO will facilitate via a Section 106 agreement and land dedication in conjunction with Oxfordshire County Council the delivery of a section of the Didcot to Culham River Crossing linking onto the junction of the A4130 together with the upgrading to the roundabout and cycle network. This is in accordance with Core Policy 17 for the delivery of Strategic Highway Improvements which directly mitigates the impact of the planning growth across the Science Vale. It also accords with Core Policy 18 which safeguards land for this transport scheme as updated by Core Policy 18a of the LPP2.

### **Design, Landscape and Visual Impact**

The proposed LDO Plan 4 Landscape Strategy, LDO Plan 5 Infrastructure and supporting Design Guide has been designed from the outset as a high-quality and well landscaped environment. An extensive scheme of new planting and water features is incorporated throughout the proposed masterplan, which reflects the relationship of the site to character of the surrounding area.

The Landscape and Visual Impact Assessment (including landscape masterplan) concludes that the proposed development will not notably influence the character of the landscape to the north of the site, and that the degree of visual change will not be significant (particularly given the developed context). The Landscape Visual Impact Assessment has informed the supporting parameter plans which have imposed maximum building heights across the masterplan relevant to their sensitivity and views from surrounding areas.

The proposed LDO has been subject to a Landscape Visual Impact Assessment which accords with LPP1 and Core Policy 37, relating to design and setting. It accords with LPP1 Core Policy 45, which seeks an uplift in green infrastructure. The lighting scheme in the accompanying Design Guide reflects the requirements of LPP2 Development Policy 21. The proposals similarly reflect the approach set out in the adopted VWHDC Design Guide, and the approach to good design required by Section 12 of the NPPF and Development Policy 23 of LPP2.

### **Ecology**

	<p>An extensive network of vegetation, species-friendly planting, refugia and water features are proposed across the LDO Site, representing a significant programme of habitat creation for fauna and wildlife. A Biodiversity Net Gain Report has been completed in support of the LDO and which suggests that based upon the parameter plans and design guide the scheme could achieve a 2.38% gain in habitat units and 160% gain in hedgerow units. Furthermore, the LDO includes a condition requiring a biodiversity net gain management and delivery plan. The LDO therefore accords with LPP1) Core Policy 46, which requires that development conserve, restore and enhance biodiversity.</p> <p><b>Flood Risk and Drainage</b>  The site is in Flood Zone 1 which is the preferred location for development in flood risk terms. The Flood Risk Assessment addresses the approach to flood risk across the LDO Site, and presents the strategy for managing surface water run-off (including SUDS) and the approach to foul drainage. The proposals therefore accord with LPP1 Core Policy 42 and NPPF Section 10, which (inter alia) seek to direct new development to areas with a low probability of flooding.</p> <p><b>Amenity – noise and air quality</b>  The Noise Assessment addresses the potential for noise impacts on ‘noise sensitive receptors’, the nearest of which is a single residential dwelling (Hartwright House), taking account of the noise attenuation measures set out in the Design Guide and controlled by LDO Conditions. This concludes that the proposed LDO is unlikely to result in adverse impacts on the nearest noise sensitive receptors, in accordance with the appropriate British Standards.</p> <p>The LDO Site is not located in an Air Quality Management Area and is not located in an area identified as having a high background concentration of pollutants. The LDO includes a condition which requires an Air Quality Assessment prior to commencement of development in accordance with Core Policy 43 of the LPP1, and advice contained within the NPPF. It is noted that the proposed uses will generate significantly fewer traffic movements than a conventional B8 scheme and the vehicular emissions will consequently be low.</p> <p><b>Overview of permitted uses</b>  To achieve the objectives of the Enterprise Zone, the following primary land uses are allowed within the LDO area subject to the specific restrictions on location and floorspace set out in the LDO:</p> <ul style="list-style-type: none"> <li>• B2 General industrial</li> <li>• B8 Data centre</li> <li>• B8 Battery storage”.</li> </ul>
<p><b>Alternative options rejected</b></p>	<p>At the Vale Cabinet Briefing held on 16 September 2020 “<i>Councillors supported the concept in principle but asked for officers to work on the detail with the Cabinet member before a draft Local Development Order was published for consultation. The draft order would be brought to Cabinet in due course for approval for consultation.</i>” (Action log from Cabinet Briefing 16 September 2020). Key matters which Councillors</p>

	<p>asked to be addressed were the environmental credentials of the proposal, particularly reducing its carbon footprint and implications for an existing wood recycling business on site which is safeguarded by policy W11 of the Oxfordshire Minerals and Waste Local Plan.</p> <p>The draft LDO now addresses environmental credentials by setting out and securing by planning conditions sustainability measures encouraged in sets out sustainability measures encouraged in each development including each building achieving BREEAM excellent or above rating and a minimum target of securing a 25% improvement over the Building Regulations Part L 2013 Target Emission Rate.</p> <p>The existing wood recycling business on site is to be retained.</p>
<p><b>Climate and ecological implications</b></p>	<p>Measures are included in the draft LDO to reduce the carbon foot print of development including sets out sustainability measures encouraged in each development including each building achieving BREEAM excellent or above rating and a minimum target of securing a 25% improvement over the Building Regulations Part L 2013 Target Emission Rate.</p> <p>Measures that can be implemented in seeking to meet the above targets include but are not limited to:</p> <ul style="list-style-type: none"> <li>• Air Source heat pumps</li> <li>• Ground Source heat pumps</li> <li>• Photovoltaics (PV) panels</li> <li>• Wind turbines</li> <li>• Solar thermal</li> <li>• Biomass heating</li> <li>• Excess heat supply for reuse on or off-site district heating (data centres)</li> <li>• Maximise non-vehicle access to development and facilities by ensuring convenient links to public transport, footpaths and cycle routes</li> <li>• Increase biodiversity and enhance landscape features including green walls and roofs where appropriate</li> <li>• Ensuring integrity with the proposed SUDS scheme of the LDO</li> <li>• Building fabric elements and glazing specifications to Building Regulation requirements and where possible improved.</li> <li>• Reduced air permeability from buildings compared to maximum required standards</li> <li>• Achieve good passive solar gain orientation and massing</li> <li>• Specification of efficient heating and cooling services and control systems</li> <li>• Energy efficient lighting through the development</li> <li>• Allow for daylighting to production/manufacturing areas where appropriate</li> <li>• Use of appropriate floorplates to provide adequate daylight to workstations</li> <li>• Provision of natural ventilation to office areas via openable windows with trickle vents where appropriate</li> <li>• Each development plot to provide shower and changing</li> </ul>

	<p>facilities on site</p> <ul style="list-style-type: none"> <li>• A minimum of 10% of all parking to each individual plot must have electric vehicle charging points or comply with building regulations, whichever has the highest requirement.</li> <li>• Covered and secure cycle parking adjacent to building entrances to be provided with minimum 10% Ebike charging provision.</li> </ul> <p>The draft LDO is supported by a suite of habitat and protected species surveys together with a biodiversity net gain report. The latter calculates a net gain in biodiversity. Planning conditions seek to ensure biodiversity net gain, sustainable drainage and landscaping.</p>			
<b>Legal implications</b>	A draft LDO has been considered by counsel and considered robust in terms of legality.			
<b>Financial implications</b>	Any studies required as evidence have been undertaken at the owner's expense. The administration cost for a LDO is covered within the planning budget.			
<b>Other implications</b>	The business rates generated by new development can be reinvested back into the local community through, for example, infrastructure (roads/schools, etc.).			
<b>Background papers considered</b>	<ul style="list-style-type: none"> <li>• The draft LDO and Design Guidance</li> <li>• A previous report relating to an LDO presented to Cabinet Briefing on 16 September 2020</li> <li>• Section 38 (5)(b) of the Town and Country Planning (Development Management Procedure) (England) Order 2015 which relates to the statutory requirements for public consultation on a LDO.</li> </ul>			
<b>Declarations/ conflict of interest? Declaration of other councillor/ officer consulted by the Cabinet member?</b>	None			
<b>List consultees</b>		<b>Name</b>	<b>Outcome</b>	<b>Date</b>
	Ward councillors	Richard Webber	No comments received	
	Legal <a href="mailto:legal@southandvale.gov.uk">legal@southandvale.gov.uk</a>		No comments received	
	Finance <a href="mailto:Finance@southandvale.gov.uk">Finance@southandvale.gov.uk</a>		No comments received	
	Human resources <a href="mailto:hadminandpayroll">hadminandpayroll</a>		No comments received	

	<a href="mailto:@southandvale.gov.uk">@southandvale.gov.uk</a>			
	Climate and biodiversity <a href="mailto:climateaction@southandvale.gov.uk">climateaction@southandvale.gov.uk</a>	Chloe Bunting	We note the significant additions from a climate and biodiversity perspective in this iteration and particularly the enhancements detailed in paragraph 10 of the Cabinet Briefing Paper 11.03.22 and the climate and ecological implications section of the ICMD document itself. We are happy that this proceeds from a public consultation from a climate and biodiversity perspective.	31/3/2021
	Diversity and equality <a href="mailto:equalities@southandvale.gov.uk">equalities@southandvale.gov.uk</a>	Lynne Mitchell	The Government guidelines (Inclusive Mobility published by DfT) have changed and now recommend that 6% of parking should be allocated to disabled people, unless otherwise covered by local planning regulations.  Apart from the above question my comments for the form would be:- I support this ICMD as it will create jobs for the community and encourage economic growth. An equality impact assessment screening form has been completed showing this project will not disadvantage any groups under the protected characteristics covered in the equality act	22/3/2021
	Health and safety <a href="mailto:healthandsafety@southandvale.gov.uk">healthandsafety@southandvale.gov.uk</a>	Debbie Porter	No comments	4/4/2022
	Risk and insurance <a href="mailto:risk@southandvale.gov.uk">risk@southandvale.gov.uk</a>	Allison Holliday	Whilst this is not their area it is asked whether potential light pollution be addressed in view of many and varied occupants?	22/03/2022
	Communications <a href="mailto:communications@southandvale.gov.uk">communications@southandvale.gov.uk</a>	Emma East	All looks fine from a comms perspective.	21/3/2021
	Senior Management Team <a href="mailto:ExecutiveSupportS@AV@southandvale.gov.uk">ExecutiveSupportS@AV@southandvale.gov.uk</a>	Megan Phelps	Approved by SMT on 23/2/2022	17/3/2021
<b>Confidential decision?</b> If so, under which exempt category?	No			
<b>Call-in waived by Scrutiny Committee chairman?</b>	No			
<b>Has this been discussed by Cabinet members?</b>	Yes			

<p><b>Cabinet portfolio holder's signature</b> To confirm the decision as set out in this notice.</p>	<div style="text-align: center;"></div> <p>Signature _____</p> <p>Date <u>7 April 2022</u></p>
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**ONCE SIGNED, THIS FORM MUST BE HANDED TO DEMOCRATIC SERVICES IMMEDIATELY.**

For Democratic Services office use only		
Form received	Date: 8 April 2022	Time: 11:14
Date published to all councillors	Date: 8 April 2022	
Call-in deadline	Not applicable as this is not a key decision.	

## Guidance notes

1. This form must be completed by the lead officer who becomes the contact officer. The lead officer is responsible for ensuring that the necessary internal consultees have signed it off, including the chief executive. The lead officer must then seek the Cabinet portfolio holder's agreement and signature.
2. Once satisfied with the decision, the Cabinet portfolio holder must hand-sign and date the form and return it to the lead officer who should send it to Democratic Services immediately to allow the call-in period to commence.  
Tel. 01235 422520 or extension 2520.  
Email: [democratic.services@southandvale.gov.uk](mailto:democratic.services@southandvale.gov.uk)
3. Democratic Services will then publish the decision to the website (unless it is confidential) and send it to all councillors to commence the call-in period (five clear working days) if it is a 'key' decision (see the definition of a 'key' decision below). A key decision cannot be implemented until the call-in period expires. The call-in procedure can be found in the council's constitution, part 4, under the Scrutiny Committee procedure rules.
4. Before implementing a key decision, the lead officer is responsible for checking with Democratic Services that the decision has not been called in.
5. If a key decision has been called in, Democratic Services will notify the lead officer and decision-maker. This call-in puts the decision on hold.
6. Democratic Services will liaise with the Scrutiny Committee chairman over the date of the call-in debate. The Cabinet portfolio holder will be requested to attend the Scrutiny Committee meeting to answer the committee's questions.
7. The Scrutiny Committee may:
  - refer the decision back to the Cabinet portfolio holder for reconsideration or
  - refer the matter to Council with an alternative set of proposals (where the final decision rests with full Council) or
  - accept the Cabinet portfolio holder's decision, in which case it can be implemented immediately.

## Key decisions: assessing whether a decision should be classified as 'key'

The South Oxfordshire and Vale of White Horse District Councils' Constitutions now have the same definition of a key decision:

**A key decision is a decision of the Cabinet, an individual Cabinet member, or an officer acting under delegated powers, which is likely:**

- (a) to incur expenditure, make savings or to receive income of more than £75,000;**

- (b) to award a revenue or capital grant of over £25,000; or**  
**(c) to agree an action that, in the view of the chief executive or relevant head of service, would be significant in terms of its effects on communities living or working in an area comprising more than one ward in the area of the council.**

Key decisions are subject to the scrutiny call-in procedure; non-key decisions are not and can be implemented immediately.

In assessing whether a decision should be classified as 'key', you should consider:

- (a) Will the expenditure, savings or income total more than £75,000 across all financial years?
- (b) Will the grant award to one person or organisation be more than £25,000 across all financial years?
- (c) Does the decision impact on more than one district council ward? And if so, is the impact significant? If residents or property affected by the decision is in one ward but is close to the border of an adjacent ward, it may have a significant impact on that second ward, e.g. through additional traffic, noise, light pollution, odour. Examples of significant impacts on two or more wards are:
- Decisions to spend Didcot Garden Town funds (significant impact on more than one ward)
  - Changes to the household waste collection policy (affects all households in the district)
  - Reviewing a housing strategy (could have a significant impact on residents in many wards)
  - Adopting a supplementary planning document for a redevelopment site (could significantly affect more than one ward) or a new design guide (affects all wards)
  - Decisions to build new or improve existing leisure facilities (used by residents of more than one ward)

**The overriding principle is that before 'key' decisions are made, they must be published in the Cabinet Work Programme for 28 calendar days. Classifying a decision as non-key when it should be a key decision could expose the decision to challenge and delay its implementation.**