

Cherwell District Council

Executive

1 June 2015

<p>North West Bicester Supplementary Planning Document (SPD)</p>

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To update the Executive on the progress in preparing a Supplementary Planning Document (SPD) for the North West Bicester strategic development identified in the modified Submission Cherwell Local Plan as Policy Bicester 1 and seek approval for the Draft North West Bicester SPD to be used as informal interim planning guidance in the determination of planning applications.

1.0 Recommendations

The meeting is recommended to:

- 1.1 Note the progress in preparing the North West Bicester SPD;
- 1.2 Agree the response to the representations received and resulting changes to the Draft SPD;
- 1.3 Approve the latest version of the Draft SPD to be used on an interim basis for development management purposes;
- 1.4 Note the further steps to complete the SPD as follows:
 - a) Consult on the revised Statement of Consultation
 - b) Consult the statutory consultation bodies on the SEA screening
- 1.5 Authorise the Head of Strategic Planning and the Economy to make any necessary minor amendments to the SPD to be made in consultation with the Lead Member for Planning.
- 1.6 Note the need for the final SPD to be presented to the Executive for formal adoption at a future meeting in the light of the Local Plan Inspector's Report and the cancellation of the Eco-towns PPS.

2.0 Introduction

- 2.1 The North West Bicester strategic development site is identified in Policy Bicester 1 of the modified Submission Cherwell Local Plan. It comprises 390 hectares (approximately 965 acres) of land and has been identified as an eco-development following its inclusion in 2009 in the Eco-towns Planning Policy Statement (PPS). In March 2015 the Eco-towns PPS was cancelled by the Government, however, the policies remain for the North West Bicester site until the Cherwell Local Plan is adopted.
- 2.2 The Town and Country Planning (Local Plan) (England) Regulations 2012 provide the legislative framework for the preparation of supplementary planning documents setting out the form and content of such documents. Further guidance is set out in National Planning Policy Framework (NPPF) paragraph 153. National Planning Policy Guidance states that SPDs should only be prepared where necessary and in line with paragraph 153 of the National Planning Policy Framework (NPPF). It goes on to state that they should build upon policies in the adopted Local Plan and that in exceptional circumstances a Strategic Environmental Assessment may be required, if the SPD is likely to have significant environmental effects that have not already been assessed as part of the Local Plan
- 2.3 The proposed development at North West Bicester is recognised locally and nationally as an important project in delivering large scale development to high environmental standards. In order to assist in delivery of successful schemes through the planning process, the Council's Bicester Delivery Team has prepared guidance (the Draft SPD) for applicants, developers and landowners preparing proposals and submissions for planning applications. The SPD also sets out a planning framework to develop proposals from the masterplanning stage to submission of detailed planning applications and implementation.
- 2.4 **Submission Cherwell Local Plan (as Proposed to be Modified)**
- 2.5 A SPD must not conflict with the adopted development plan. Policy Bicester 1 of the modified Submission Cherwell Local Plan sets out the proposed development standards for North West Bicester. Further guidance on the approach to design and sustainable construction in Cherwell will be set out in a separate Sustainable Buildings in Cherwell SPD.
- 2.6 Following the Local Plan Examination Hearings in December 2014, the Inspector's Report is expected to be received by the Council in May 2015 and will need to be considered before the Local Plan can be adopted. As the SPD expands upon Policy Bicester 1 of the Plan, the Inspector's Report will be relevant to its completion and the SPD cannot be formally adopted by the Council until after adoption of the Local Plan. The Delivery Team, working with the Planning Policy Team, will therefore consider the Inspector's recommendations in preparing the final SPD.
- 2.7 **North West Bicester Planning Applications**
- 2.8 The current planning applications for the North West Bicester site are summarised below:

- 2.9 The exemplar application (planning application reference: 10/01780/HYBRID) was approved in July 2012 and comprises 393 new homes, a local centre and primary school. Construction began on this phase began in 2014. It is supported by a framework masterplan on which the Masterplan and Vision documents submitted by the developers in March 2014 have built.
- 2.10 Application 1 (planning application reference: 14/01384/OUT) was approved at the March 2015 planning committee, subject to completion of a Section 106 agreement for up to 2,600 new homes (including up to 250 extra care homes), green infrastructure, new primary school site and a new local centre. The application also included details of access arrangements and the partial realignment of Bucknell Road.
- 2.11 Application 2 (planning Application reference: 14/01641/OUT) proposes up to 900 new homes, open space, primary school site, secondary school and local centre. It also proposes part of the realigned Howes Lane and site access.
- 2.12 Application 3 (planning application reference: 14/01675/OUT) proposes a an employment-led mixed used development of up to 53,000 square metres (570,500 sq ft) general industrial uses (within Use Class B2 of the Use Classes Order), storage or distribution (within Use Class B8), ancillary business uses including offices (within Use Class B1) and residential land for approximately 135 new homes.
- 2.13 Application 4 (Planning application reference: 14/01968/FUL) proposes the construction of a new road to realign Howes Lane (A4095).
- 2.14 Application 5: (Planning Application reference: 14/02121/OUT) proposes up to 1,700 homes, a retirement village, commercial development and social and community facilities, a primary school and energy centre on land east of Middleton Stoney Road.
- 2.15 Although the applications submitted to date cover a significant part of the North West Bicester strategic allocation site, the draft SPD would assist in the determination of those applications yet to be considered by the Planning Committee and guide future applications for the remaining parts of the site and reserved matters applications. As a published draft it has already been a material consideration in considering application 1.
- 2.16 **Sustainability Appraisal/ Strategic Environmental Assessment**
- 2.17 The basis for Strategic Environmental Assessments and Sustainability Appraisal legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005)
- 2.18 The 2008 Planning Act and subsequent regulations removed the requirement to undertake a Sustainability Appraisal for a Supplementary Planning Document. The screening of plans, programmes and policies including SPDs is still required by SEA regulations. SPDs do not normally introduce new policies or proposals or modify

planning documents which have already been subject to Sustainability Appraisal/SEA (as in the case of the modified Submission Cherwell Local Plan). The North West Bicester SPD has been produced to be in general conformity with the new Local Plan and benefits from the Plan's SA/SEA process. However, the SEA screening opinion requires formal consultation with the Environment Agency, Natural England and Historic England in accordance with the Environmental Assessment of Plans and Programmes Regulations 2004.

2.19 At the time of writing the previous report, it was considered that a SEA would be required. The previous advice to the Executive has been reviewed. The Draft SPD relies on the Local Plan SA and on further review by officers it is considered that it is unlikely there are any significant effects that have not been assessed by the Local Plan SA/SEA.

2.20 A screening process has been followed in preparing the SPD and the Draft SPD makes reference to the Local Plan integrated SA and SEA process. An SEA screening statement will be prepared on the basis that an SEA is unlikely to be required for the SPD. The Environment Agency, Historic England and Natural England will be consulted on the SEA screening in accordance with The Environmental Assessment for Plans and Programmes Regulation 2004 (Regulation 9). Any consequential changes resulting from amendments to the SPD will be reviewed with the consultation bodies.

2.21 **Further work**

2.22 In order to progress the SPD the following tasks need to be completed:

2.22.1 Consideration of the Local Plan Inspector's report, the revocation of the Eco-Towns supplement to former PPS1 and consequential changes to SPD and SEA process;

2.22.2 Consultation on the SEA Screening with the Environment Agency, Natural England and Historic England and making the screening statement publicly available;

2.22.3 Publication of issues raised through all the regulatory stages of SPD preparation and how this informed the preparation of the SPD, contained in a revised Statement of Consultation.

2.23 The timescales for completing the SPD are set out below:

2.23.1 June 2015 – (i) consider Draft SPD in light of Inspector's Report (ii) consider Draft SPD in light of the revocation of Eco-Towns Supplement to former PPS1(iii) complete SEA screening procedures (iv)consult on the revised Statement of Consultation and accompanying SPD

2.23.2 July/August 2015 – Make any necessary minor changes to the SPD in consultation with the Lead Member for Planning (or report back to the Executive if substantive changes are required)

2.23.3 July-September 2015 – planning applications to Planning Committee

2.23.4 September 2015 – formally adopt SPD subject to the adoption of the Cherwell Local Plan

3.0 Report Details

3.1 Since the previous report in November 2014, the SPD together with its Statement of Consultation has been out to consultation, the Cherwell Local Plan Examination Hearings have been concluded and the Eco-towns Planning Policy Statement has been cancelled for all areas except North West Bicester (until such time as the Cherwell Local Plan is adopted).

3.2 This section sets out the current position in terms of the progress towards adopting the SPD as additional policy to support the determination of future applications on the North West Bicester strategic development site.

3.3 Consultation Undertaken

3.4 Consultation on the Draft SPD was carried out as part of the preparation of the Draft SPD between 3rd December 2014 and 20th February 2015. It was publicised widely on Cherwell District Council's website and in the local press. Those people on the Local Plan database were notified direct.

3.5 Consultation responses were received from a range of statutory consultees and local residents. In total, 44 individuals and bodies responded with detailed comments, queries and suggested amendments. These have been reviewed and considered by officers with some of the responses forming the basis of amendments to the SPD. The changes have been incorporated into a revised version of the SPD which is contained in Appendix 1 with a summary of the consultation responses, officer comment and proposed changes contained in Appendix 2. In summary, the main issues raised through the consultation exercise are:

- The principle of development
- The location and distribution of land uses within the site
- Infrastructure provision and delivery
- Specific comments on the development principles particularly relating to:
- transport, movement and access – including comments on the proposed highway improvements
- employment issues, particularly relating to the proposed business park
- green space and biodiversity

3.7 The SPD is supported by a Statement of Consultation summarising the consultation carried out in the preparation of the North West Bicester masterplan and how it has informed the preparation of the SPD through the issues and options stage. A copy of the updated Statement of Consultation is contained in Appendix 2 and sets out how the responses from the consultation exercise have been taken into account in the preparation of the final SPD.

3.8 Next Steps

3.9 The Local Plan Examination Hearings concluded in December 2014 and the Inspector's Report is expected to be received at the end of May. If the Local Plan is found to be sound, the Council will be asked to consider the Inspector's recommendations and the final Local Plan as soon as possible.

3.10 Revocation of the Eco-towns PPS

- 3.11 It is proposed to review the SPD in the light of the Inspector's Report and Government's cancellation of the Eco-towns PPS for North West Bicester. The SPD contains references to the Eco-towns PPS which will be revised in preparing the final SPD to ensure consistency with the Local Plan once it is adopted. For example, the Development Principles lead with the relevant Eco-towns standards. These will be incorporated into the text and included in an Appendix in the final SPD.
- 3.12 It is recommended the SPD will be used as informal planning guidance as it cannot be formally adopted until the Cherwell Local Plan is adopted.
- 3.14 In summary, work on the SPD will continue to progress in accordance with the Local Development Scheme and planning programme for North West Bicester. Completion of the following tasks will be required before the SPD is adopted:
- Formal consultation and publicity of a Strategic Environmental Assessment screening report setting out the Council's formal screening opinion;
 - Further review of the SPD and consultation to take account of the Local Plan Inspector's Report and cancellation of the Eco-towns PPS;
 - An update and further consultation on the Statement of Consultation
 - Finalising the SPD following the consultation
- 3.15 It is anticipated that the further work is likely to take a further 12 weeks to complete. In the meantime, the recommendation for approval for development management purposes is required to give added weight to the SPD in the determination of planning applications on the site.

4.0 Conclusion and Reasons for Recommendations

- 4.1 This report sets out the current position on the preparation of the North West Bicester SPD. The consultation on the Draft SPD has not identified any fundamental issues. It is recommended that the Council use the SPD as informal interim guidance in guiding the preparation and determination of planning applications prior to its formal adoption. In order to complete the SPD and progress it towards adoption, the report has identified areas of work which require further attention including the formal SEA screening opinion, Statement of Consultation and further review of the document following confirmation that the Eco-town PPS is to be cancelled. It is proposed to report back to the Executive with a further update following the receipt of the Inspector's Report should this raise new issues that have not already been considered in the production of the draft SPD.
- 4.2 The Executive is recommended to note the progress that has been made with the SPD, approve the draft SPD as amended for development management purposes and authorise officers to carry out further consultation on the SEA and Statement of Consultation. Officers will consult with the Lead Member for Planning on any further minor amendments. The Executive's formal adoption of the SPD will be sought following adoption of the Local Plan.

5.0 Consultation

- 5.1 In addition to the consultation on the document set out above, internal consultation has been carried out throughout the preparation of the SPD.

6.0 Alternative Options and Reasons for Rejection

- 6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To not progress the preparation of the NW Bicester SPD and rely only on the Submission Cherwell Local Plan Policy Bicester 1 (as Proposed to be Modified) – rejected given the general support for the policies in the SPD, and its role in guiding the preparation of planning applications and as informal detailed guidance in determining planning applications.

Option 2: To await the adoption of the Local Plan before continuing to progress the preparation of the SPD – rejected due to the timescales involved and the necessity for informal planning guidance when determining the outline planning applications in 2015.

7.0 Implications

Financial and Resource Implications

- 7.1 The cost of producing the SPD can be met within existing budgets.

Comments checked by:

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Legal Implications

- 7.2 Supplementary Planning Documents are capable of being a material consideration in planning decisions and will guide applicants in making suitable planning applications for development at North West Bicester.

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8.0 Decision Information

Key Decision

Financial Threshold Met: No

Community Impact Threshold Met: No

Wards Affected

Bicester Wards
Caversfield
Chesterton and Ambrosden
Launton
Bucknell
Middleton Stoney

Links to Corporate Plan and Policy Framework

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2014-15 as follows:

Cherwell - A District of Opportunity
Cherwell – Safe, Clean and Green
Cherwell – Thriving Communities
Cherwell – Customer focussed Council

In addition it links to the strategic priorities for the Bicester projects.

Lead Councillor

Councillor Michael Gibbard, Lead Member for Planning

Document Information

Appendix No	Title
1	Interim Draft North West Bicester Supplementary Planning Document
2	Statement of Consultation including Summary of consultation responses, officer response and proposed changes
Background Papers	
None	
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