

Case Officer: Linda Griffiths

Applicant: Bellway Homes Limited and Christ Church, Oxford

Proposal: Outline application (with all matters except access reserved for future consideration) for the demolition of existing buildings and the erection of up to 800 dwellings (Class C3); a two form entry primary school; a local centre (comprising convenience retailing (not less than 350sqm and up to 500sqm (Class E(a))), business uses (Class E(g)(i)) and/or financial and professional uses (Class E(c)) up to 500sqm, café or restaurant use (Class E(b)) up to 200sqm; community building (Class E and F2); car and cycle parking); associated play areas, allotments, public open green space and landscaping; new vehicular, pedestrian and cycle access points; internal roads, paths and communal parking infrastructure; associated works, infrastructure (including Sustainable Urban Drainage, services and utilities) and ancillary development. Works to the Oxford Road in the vicinity of the site to include, pedestrian and cycle infrastructure, drainage, bus stops, landscaping and ancillary development

Ward: Kidlington East

Councillors: Councillor Mawson, Councillor Middleton, Councillor Ward

Reason for Referral: Major development

Expiry Date: 29 July 2024

Committee Date: 6th June 2024

SUMMARY RECOMMENDATION: GRANT OUTLINE PERMISSION SUBJECT TO CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is located to the east of the A4165 Oxford Road to the north of Oxford. The northern boundary adjoins Oxford Parkway Park and Ride site. To the east, the site boundary crosses an open field, then follows field boundaries around St Frideswide Farm to the south, where the southern boundary adjoins Cutteslowe Park, Banbury Road North Sports Ground and an adjacent field. The land to the south of the southern site boundary is within the administrative area of Oxford City Council and this land is currently being developed for residential purposes by Croudace.
- 1.2. The site extends in total to 45.8ha and the field boundaries within the site are delineated by mature, native hedgerows of variable species and composition and structure and are relatively species rich. Two small areas of broad-leaved woodland are present within the western edge of the site alongside Oxford Road.

- 1.3. The site generally falls away from two main high points, the first being located within the centre of the site along the western boundary with the Oxford Road, with land falling to the north, and to the east towards St Frideswide Farm. The second point is located along the southern boundary. With land falling towards the Cherwell Valley and River Cherwell, and to the north towards St Frideswide Farm.
- 1.4. The site is irregular in shape and consists mainly of agricultural land, used as arable fields. Pipal Barns are also located within the northwestern part of the site and are accessed from, and with a site frontage onto the A4165. Pipal Cottage is a small traditional vernacular building located outside the site adjacent to Oxford Road and was previously associated with Pipal Barns. Vehicular access to Pipal Cottage is gained directly from Oxford Road. St Frideswide farmhouse, a Grade II* listed building and its associated farm buildings are located just outside the eastern site boundary.
- 1.5. Vehicular access to the site is currently available from two points on Oxford Road. The northern point is a bridleway and provides access to Water Eaton Manor and the southern point comprises the historic access to St Frideswide Farm.

2. CONSTRAINTS

- 2.1. The application site which is currently in agricultural use is grade 3b agricultural quality for the majority (36.4ha) with a small area within the centre of the site classified as Grade 2 (2.5ha) and an area to the south classified as Grade 3a (2.9ha).
- 2.2. The site is crossed east to west by a bridleway along the Water Eaton track which crosses the Oxford Road and continues through the golf club site opposite (which is allocated for residential development) and a public right of way which runs in a northeast-southwest direction in the southern part of the site ending at the Oxford City boundary. A permissive footpath also runs along the southern boundary of the application site, located within Cutteslowe Park.
- 2.3. A designated heritage asset, St Frideswide Grade II* listed farmhouse and associated Grade II listed garden wall are located immediately to the east of the site just outside the site boundary. Pipal Cottage and associated barns are non-designated heritage assets located within and adjacent to the north-western boundary of the site. The Oxfordshire Historic Environment Records also show four non-designated heritage assets within the site boundary including the remains of two bronze age barrows, possible Roma 'ridgeway' and a milestone.
- 2.4. The site supports a network of species-poor and species-rich hedgerows, a narrow band of broadleaved woodland, scattered mature broadleaved trees and dense scrub. Native hedgerows and broadleaved woodland are of local value and are deemed to be priority habitats. The site constraints have identified a number of Protected and Notable Species may be present on the site and the historic orchard to St Frideswide Farm, a NERC habitat lies just to the east of the site. There are a number of SSSIs within 2km of the site.

3. DESCRIPTION OF PROPOSED DEVELOPMENT

- 3.1. The application site comprises 45.8 hectares of the allocated site. It includes some of the Oxford Road outside the allocated boundary and excludes the allocation parcel to be retained for agricultural use. It proposes 800 dwellings and commits to provide 50% affordable homes on the site.
- 3.2. The application which also proposes a local centre, community building and primary school and associated infrastructure exceeds the Policy PR6a allocation of 690 dwellings in the adopted Cherwell Local Plan Partial Review by 110 residential units.

- 3.3. Two new vehicular accesses will be provided into the site, the southern vehicular access will be in the form of a 3 arm Cycle Optimised Protected Signals (CYCLOPS) junction. This junction is designed to be capable of accommodating a fourth/western arm for access into PR6b which would be constructed as part of the PR6b development when that comes forward. The northern vehicular access into the site will take the form of a left in, left out priority junction with a full set back for cycle crossing. The existing vehicular accesses to St Frideswide farm and Water Eaton from Oxford Road will be closed to vehicular traffic. Alternative access to these properties will be provided through the development. A walking/cycle superhighway is proposed along Oxford Road, and this has resulted in the need to completely remove all the existing trees and vegetation along the Oxford Road frontage. A new landscape buffer will be required as mitigation.
- 3.4. All matters are reserved except means of access which is to be considered as part of this application submission. The application is accompanied by illustrative plans including an indicative site layout, masterplan indicating the location of uses, heights parameter plan and landscape strategy.
- 3.5. The application is 'EIA development' and subject to full Environmental Impact Assessment which accompanies this application alongside a full suite of other technical information.
- 3.6. *Timescales for Delivery*: The site has already been purchased from Christchurch by a housebuilder Bellway who are also an applicant in respect of this application and are keen to submit reserved matters and start on site as soon as possible in the event that planning permission is granted.

4. RELEVANT PLANNING HISTORY

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

21/01635/SCOP – Scoping Opinion relating to Environmental Impact Assessment (EIA) issued 9th June 2021 seeking an EIA.

5. PRE-APPLICATION DISCUSSIONS

- 5.1. The following pre-application discussions have taken place with regard to this proposal under application number 21/02269/PREAPP:
- 5.2. There was considerable discussion at pre-application over several months which also included public consultation events, including Enquiry by Design and Design Review which aided discussions around the proposed masterplan which has now been submitted as part of this planning application. Much of the discussion focussed in the main around the location of the primary school and transport matters.
- 5.3. A number of matters remained outstanding at the end of pre-application discussions relating to: (i) the importance of providing and agreeing parameters for the proposed green infrastructure/open space/wildlife corridors throughout the development; (ii) transport modelling; (iii) heritage assets and the impact of the proposed development on St Frideswide Farm, despite repeated requests, no heritage impact assessment to enable an understanding of the proposals on heritage assets was not forthcoming; (iv) landscape impact assessment, no landscape impact assessment was submitted despite repeated requests to understand the visual and landscape impact of the scale, height and quantum of development proposed; (v) ecology assessments and net biodiversity gain, no assessments were submitted to understand the implications of the removal of all the existing vegetation along Oxford Road which are currently important wildlife corridors and habitats; (vi) sustainability and (vii) building heights

which as proposed were considered to be out of scale and character with the surrounding development and Oxford Road generally.

6. RESPONSE TO PUBLICITY

6.1. 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 **10 May 2024**, following an amended submission which also included additional information although comments received after this date and before finalising this report have also been taken into account.

6.2. The comments raised by third parties are summarised as follows:

- Impact on Grade II* listed St Frideswide Farmhouse and grade II listed wall which have been isolated within its agricultural setting since 16th century and is a heritage receptor of high sensitivity. The original historic track should be protected and maintained.
- Harm, significance and public benefits must be very carefully considered in respect of the setting of St Frideswide Farmhouse bearing in mind that heritage assets are irreplaceable and in this case the setting of the farmhouse will be irreplaceably changed – any harm needs clear and convincing justification.
- The photomontages clearly show a very great visual encroachment of the development into the setting of St Frideswide Farmhouse which is unmitigated by the proposed planting of vegetation. Further remedial measures – either reducing building heights in the vicinity of the farmhouse or increasing the height and density of screening vegetation is required. The CDC conservation officer specifically asked for heights no greater than 2 storeys near St Frideswide Farm, not 2-3 storeys.
- Concern about impact of flooding on St Frideswide Farm as a consequence of the development.
- Contrary to the Archaeology and Heritage Assessment Report, St Frideswide Farmhouse was in fact designed for excellent outward views from windows consistent with its historical period and the new buildings will be visible from the first floor of the farmhouse from the north and south.
- Former Water Eaton Copse should be replanted to strengthen Northeast boundary.
- Height of up to 18m along Banbury Road is too high, approach into Oxford is currently green and tree-lined, but 4 storey flats will be unattractive, unwelcoming and out of keeping with the current low-rise development and this green gap will be lost forever.
- More green zone required as a buffer between the new buildings and Oxford Road.
- Too many dwellings
- A medical centre should be provided on site as medical facilities in the area are already overstretched.

- 50% affordable housing provision is welcomed, but this should include housing for those with disabilities and the elderly and must be integrated with the market dwellings.
- Concern about loss of hedgerow and trees and natural habitat to Oxford Road, mitigation will need to be effective. Existing wildlife corridors should be maintained, including the woodland immediately adjacent to Oxford Road.
- No satisfactory mitigation for loss of habitat for ground nesting farmland birds and note that the proposed habitat enhancement measures do not and cannot adequately compensate for loss of habitat for ground nesting farmland birds.
- Access to Cutteslowe Park for the development will need to provide contributions for its upkeep, impact on height of buildings on Cutteslowe Park requires careful consideration.
- Need to ensure sustainability and energy efficiency as stated in the application is delivered, should be a more definite aim within the application, no mention of solar panels. Dwellings should be planned and orientated north/south or northeast/southwest for maximum solar gain with triple glazing and carbon neutral building.
- Increased traffic, air pollution and noise, particularly if the football stadium also goes ahead.
- Impact on Pipal Cottage in terms of building heights, loss of barns, footpath/cycleway in proximity to Pipal Cottage, access to Pipal Cottage must be maintained, loss of hedge to front of Pipal Cottage.
- Access to open space is a long walk for many dwellings.
- Lack of full assessment of the site for the possibility of Roman remains and apparent Roman Road running parallel to Oxford Road before construction is undertaken.
- Surprised and dismayed at lack of 'extra care' housing provision on the site as there is a demand for elderly and disabled housing.
- CYCLOX welcome the improvements for cycling but advise these must be LTN 1/20 compliant.
- Objection to the plans to remove the southbound bus lane from the Kidlington Roundabout to the Oxford Parkway junction resulting in increased bus journey times at odds with the council's policies to achieve better bus connectivity, frequency and capacity.
- Support as Oxford has one of the worst housing crises in the country and rents are high, ideal location adjacent to train station with frequent service into city centre.
- The application is well considered and will help the Oxford housing crisis and economic viability of the city and should be approved.
- Objection on behalf of Heidelberg materials who operate from the railhead adjacent to the Park and Ride, the access road to which will be within 50m of the proposed housing. The railhead is a significant supplier of aggregates in the region and it is vital that the lawful activities of the railhead are not

compromised or prejudiced by the new development, the approved operational hours being 0600-1900 hours Monday to Friday and 0600 to 1300 on Saturdays. Hanson are very concerned that the proposed housing will create sensitive receptors that may well be disturbed by the lawful operation of the railhead. This is against the 'agent of change' principle in the NPPF and recommends that specific noise monitoring is undertaken to establish the level of noise emissions along the access road when the railhead is dispatching heavy goods vehicles during a busy period to establish the level of mitigation needed for the houses.

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

7. RESPONSE TO CONSULTATION

- 7.1. 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

- 7.2. GOSFORD AND WATER EATON PARISH COUNCIL: **object** on the grounds of increase in numbers and height of buildings; use of management companies and resultant charge to residents and standards of maintenance; lack of information relating to recreation provision; demolition of Pipal Barns due to historic significance and which could be re-utilised as council office and council hub; lack of information regarding the community hub; lack of parking provision; lack of nursery education and special needs provision and lack of youth provision, complete removal of this land for use by Skylarks which are a red-list species and it will also affect other bird species too, offsite mitigation with specific farmland management should be provided. Not clear how long-distance views along east-west historic routes are being retained. Are the allotment proposals sufficient? There are roosting bats in Pipal Barns.

Update following revised submission: No further comments received at the time of writing the report.

- 7.3. KIDLINGTON PARISH COUNCIL: **object** on the grounds of overdevelopment as 800 dwellings is not in accordance with the adopted local plan and dwellings are too close to Oxford Road and should be reduced in height; how will water supply issue be dealt with; Sec 106 heads of terms lack detail and substance; significant loss of existing trees is unacceptable, including the removal of those from the Oxford Road frontage. Kidlington Parish Council however **support** the new tree planting; Cutteslowe Park extension; links with LCWIP and cycle superhighway; improved cycle and pedestrian access from site to Oxford Parkway.

Update following revised submission: **notes** the increase in housing numbers on this site and hopes that this will be taken into account when considering future housing numbers in the Local Plan 2040.

- 7.4. OXFORD CITY COUNCIL: **support** and welcome this application and the provision of new housing to meet Oxford's Unmet Housing Need. The submitted parameters plan is broadly supported however, it should be amended to make clear that the 'yellow areas' are two to three storey up to 10m maximum in height and the outer edges should be 2 storey with rooms in the roof to directly respond to existing development in the area. The development adjacent to the Croudace scheme should respect the height of that scheme. The PRoW into the Croudace scheme must meet that provided within the Croudace scheme. There is insufficient information to assess

the proposals in terms of biodiversity net gain. Care should be taken to appropriately respect and integrate this site with the adjacent Croudace scheme.

Update following revised submission: **comment** that the masterplan routes and PRoW do not align with roads and footpaths within the adjacent Croudace development and disappointing to see that no changes have been made to the maximum heights adjacent to the Croudace development and reiterate that these should be restricted to 2/3 storeys and 10m maximum height. Amendments to the parameter heights along the Oxford Road are welcomed. Care should be taken to ensure that hedges around the hockey club do not overshadow the proposed allotments. There should not be substantial boundary vegetation adjacent to the Croudace scheme causing a green barrier between the two developments. Confirmation of a pedestrian/cycle route connection into the Water Eaton Park and Ride is welcomed

CONSULTEES

7.5. CDC PLANNING POLICY: **Acceptable in principle** subject to all other policy requirements being met and need to be satisfied the additional 110 homes above the 690 allocated in Policy PR6a do not compromise the delivery of the policy requirements on site including:

- A sensitive relationship with the Cherwell Valley setting
- Protection of orchard and waterbody adjoining the site at St Frideswide Farm
- Securing an active frontage along the Oxford Road while maintaining a well treed landscape
- Incorporation in the design of the site archaeological features including the tumuli to the east of Oxford Road
- The provision of play areas and allotments to adopted standards within the developable area
- Ensuring the corridor along the eastern edge of the site helps minimise the visual and landscape impact of the proposal, with particular regard to the setting of St Frideswide Farmhouse and wall and the Cherwell Valley beyond, and creates a clear distinction between the site and the Green Belt
- Future reserved matters applications should provide for the green corridor width sought in the Local Plan and Development Brief for the site. If demonstrated that no further design solution is possible the width should not be reduced further than the C. 4m reduction in width indicated on the proposal's indicative drawings to accommodate the primary school.

7.6. CDC ENVIRONMENTAL HEALTH: **No Objection**

7.7. CDC CONSERVATION OFFICER: **No objection in principle but express some concerns.** The heritage assets affected by the development are St Frideswide Farmhouse Grade II* Listed Building, Grade II Listed Wall approximately 10m to northeast of St Frideswide Farmhouse, range of farmstead outbuildings to St. Frideswide to be treated as being protected by the Grade II* listing of St Frideswide, The Water Eaton Estate and Middle Farmhouse are not considered to be directly affected by the development although screening could still help. Non-designated heritage assets within the site boundary are a milestone and Pipal Barns, forming a farmstead at Pipal Cottage and Pipal Cottage which is outside the red line boundary

of the application site. In terms of archaeology, the earthwork and buried remains of two Anglo-Saxon round barrows, possible Roman ridgeway/buried remains of late pre-historic to Romano-British settlement activity. Also, evidence of historic field patterns and historic routeways.

- 7.8. The screening to the north-northwest of St Frideswide Farm is not considered to be dense vegetation and there are also views through the vegetation to the west and south west. Closer montage views are required of the farmhouse in its setting to establish if the development will be seen and to judge the effectiveness of the screening. These drawings should also include regular timescales to show how the proposed buffer planting is projected to mature and mitigate against any harm to the setting, privacy and tranquillity of the heritage assets.
- 7.9. The Grade II* listed St Frideswide Farmhouse nestles quietly in its rural landscape. The listed garden wall, orchard, associated remains of a moat, pond, lawn, farmstead and views to the land that supported the living are all important factors which contribute to the significance of the Heritage Asset. The farm is also away from street lighting and enjoys the tranquillity of a country setting. The less than substantial harm has not been fully qualified in the submission with concerns about the 11m height of the school and the proposed heights of buildings to the south and south-west of St Frideswide Farmhouse up to 10m and 11.5m where the ground rises in height.
- 7.10. The pathway through the eastern buffer will be at a higher level than St Frideswide Farmhouse and overlooking must be avoided whilst also protecting the views of and from St Frideswide.
- 7.11. Concerns regarding a new route for farm vehicles and its impact on both the setting of the heritage assets, and Cutteslowe DMV site. This should not be left to a reserved matter.
- 7.12. The planning statement identifies Pipal Cottage as a non-designated heritage asset but does not specifically mention the stone and timber barns. Although the design and access statement suggest the barns could be retained, the submitted illustrative plan shows the barns being demolished, their retention is strongly encouraged, it is a recognisable tie to the agricultural land and an integral part of the site's history which should not be swept away. The barns together with Pipal Cottage form an important and recognisable landmark on Oxford Road.
- 7.13. The issue of building heights needs to be addressed, Pipal Cottage is a modest vernacular farmhouse and the street scene would be incongruous with 14m buildings immediately adjacent this vernacular building. The hedgerow to the south and east of Pipal Cottage is considered to have some significance in terms of a surviving route marker but is to be removed. The development needs to provide further mitigation to become acceptable adjacent to these non-designated heritage assets. The demolition of Pipal Barns is not supported.

Update following revised submission: **No Objection in principle but some concerns remain** as above and as discussed in the appraisal below.

- 7.14. CDC STRATEGIC HOUSING: **Request** that the housing mix as proposed is altered to include a larger number of 4-bed dwellings, and, if possible, some 5 and/or 6-bed dwellings. It is recognised that this will have an economic impact and would require a compromise on other provision and welcome a discussion about how this can be achieved. A broad indicative affordable housing mix of 1-bed 27%; 2-bed 30%; 3-bed 33% and 4-bed+ 10% is suggested.

Update following revised submission: **comment** that all rented dwellings should be delivered as social rent as this is the most affordable tenure for households on Oxford City's housing register. If affordable rent is delivered it must be capped at Local Housing Allowance rates. In line with Government policy, 25% of the affordable housing is required as First Homes which were introduced after the Local Plan Review was adopted. The tenure split required will therefore be 70% social rent, 25% First Homes and 5% Shared Ownership. An Oxford city local connection will apply to all First Homes for the first three months of marketing.

- 7.15. CDC LANDSCAPE OFFICER: **No objection** but comment that in order to provide reassurance that the maturing 'treescape' at 15 years is effective at reducing the significance of effect, an accurate visualisation should be provided based on the EDP VP 15 Wireframe. It is important to successfully establish woodland for amenity, biodiversity and carbon offsetting/sequestration on the eastern site boundary and Cutteslowe Park extension in accordance with a detailed Landscape and Ecology Management Plan (LEMP). A number of comments are also made regarding the play provision for the site.

Update following revised submission: **concerns** as representations show how domineering the structures are on the roadside corridor experience for road user receptors and removal of trees along Oxford Road is unfortunate. The photomontages are based on accurately represented photo-visuals and appear to be accurate and the methods employed are in accordance with GLVIA3.

- 7.16. CDC ECOLOGY: **comments** that the increased amount of housing will likely decrease the green space available. A number of **issues** should be addressed further relating to farmland bird compensation, greenspace without public access managed for biodiversity alone, biodiversity enhancement should be increased and more information on how 20% biodiversity net gain will be achieved and maintained.

Update following revised submission: **comments** that previous comments about the lack of farmland bird mitigation and compensation have not been addressed. As noted in May 2023, the impact on farmland birds is fundamental to the acceptability of the scheme. With the exception of a small section to the north, areas have not been sectioned off for wildlife without public access. The ecology surveys and reports are sufficient for this stage but will likely need to be updated with any reserved matters applications. A series of conditions are also recommended in respect of an Ecological Construction Method Statement and CEMP, LEMP, lighting, Habitat Management and Monitoring Plan, bats and biodiversity enhancements such as bat and bird boxes, log piles and green roofs.

Update following Farmland Bird Mitigation Scheme: **comment** that the submitted farmland bird mitigation scheme is satisfactory to show intention and the extent of the planned compensation for farmland birds. A full farmland bird mitigation scheme with identified location/management ongoing should be conditioned.

- 7.17. CDC ARBORICULTURE: **comments** that there a high number of tree removals proposed primarily adjacent to the highway which is unavoidable in order to implement the desired access/highway proposals and that these are of low quality Category C when assessed individually. The mitigation proposals will be important in terms of biodiversity and amenity, sufficient space for the strategy to be implemented is key.

Update following revised submission: No further comments received at the time of writing the report.

- 7.18. CDC RECREATION AND LEISURE: Section 106 requirements – community facility to be provided on site, with contribution of £69,853.40 towards community

development worker on site, community development fund of £36,000, Outdoor Sports provision of £1,613,624.00, Indoor sports provision of £667,957.44 and public realm of £237,440.

- 7.19. OCC TRANSPORT: **objections** on the grounds that Cutteslowe roundabout is a significant barrier to development from an active travel perspective and is also close to capacity which is made worse by the development. A series of Section 106 contribution requests are made, and a number of planning conditions recommended should the application be approved. These are discussed in more detail in the recommendation below.

Update following revised submission: **No Objection** subject to conditions and Sec 106 contributions and as discussed in the appraisal below.

- 7.20. OCC DRAINAGE: **No objection** subject to conditions.
- 7.21. OCC PUBLIC HEALTH: **No objection** subject to further information in the health impact assessment regarding poor mental health as a particular vulnerable group and to identify the gap in access to health care and clarification of the proximity of housing to Oxford Road and mitigation of potential impact of air and noise pollution.
- 7.22. OCC ARCHAEOLOGY: **No objection** subject to conditions and sec 106 contribution of £7,169 towards the Museum Resource Centre at Standlake near Witney and archaeological archives.
- 7.23. CDC EDUCATION: **No objection** subject to provision of a new primary school on the site and contributions as set out below.
- 7.24. OCC PROPERTY: **request** a section 106 contribution for Kidlington library of £78,366.
- 7.25. HISTORIC ENGLAND: **Objection.** The maximum height of the proposed school at 11m which when taking in the topography of the land could introduce a substantial building very close to his Grade II* building which would be at odds with its vernacular scale and dominate the farmhouse, which historically has been the focal point in the surrounding landscape. The development will also be noticeable when walking along the Public Rights of Way that cross the fields to the south of the farmhouse, where the close relationship of the historic farmstead to the rural landscape can be appreciated.
- 7.26. Even if visibility of the development to and from the farmstead is negligible, the scale of the development would have wider impacts on the rural feel of the farmstead and on the setting of the building. As Historic England's setting guidance and the NPPG make clear, the historic connection between places, the kinetic experience of approaching a place, and factors such as noise can often contribute to the setting of a listed asset. The development would bring the suburbs very close to the farmhouse, removing its rural surrounding to the west and will be both visible and appreciable (through noise and light pollution) on the approach road and Public Rights of Way to the farmhouse.
- 7.27. On the basis of the information available, the scheme would cause harm to the significance of St Frideswide Farm by eroding its rural setting. In the language of the NPPF the harm would be less than substantial. We judge this would fall between a low to moderate level of harm, however in order to provide a more precise assessment we recommend photomontages and site wide elevations.

- 7.28. The proposals would cause some harm to the significance of the farmhouse through the erosion of its rural setting.

Update following revised submission: welcome the further assessment of the impacts of the proposed development on the significance of nearby heritage assets and production of additional views to assess the potential impact of the proposed development on the setting of the Grade II* listed St Frideswide Farm but still has **concerns** regarding the application on heritage grounds. Of particular concern is the proposed school which may rise to 11m and is sited particularly close to the farmhouse, changing the character of the place from an enclosed rural one to one that is more suburban and would affect the setting of St Frideswide, causing harm to its significance.

The NPPF gives great weight to the conservation of heritage assets, irrespective of the level of harm (para 205). It is appreciated that this harm can be mitigated (to a degree) under reserved matters through screening and the final design and mass of the development, however, at this stage we are not persuaded that enough has been done to minimise or avoid the harm caused by the proposed scheme. It is questioned whether the school should be located elsewhere, it is noted that the development brief locates the school further to the north. A lower density housing could be adopted to allow more open rural space around the farmhouse.

- 7.29. NATIONAL HIGHWAYS: **Holding objection** as the proposals have the potential to impact on the safe and efficient operation of the strategic road network, that is A34 and M40.

Update 11th September 2024: **No objection** subject to conditions.

- 7.30. ENVIRONMENT AGENCY: **No objection**

Update following revised submission: No further comments received at the date of writing this report.

- 7.31. THAMES WATER: **No objection** but Thames Water have identified an inability of the foul water network infrastructure and existing water network infrastructure to meet the needs of the development, therefore conditions are recommended to be attached to any planning permission regarding these matters.

Update following revised submission: **comment** that TW has identified an inability of the existing sewage treatment works infrastructure to fully accommodate the needs of this development. A significant upgrade to Oxford STW is being developed, and we encourage the developer to continue with communication regarding these upgrade and their plans.

- 7.32. BBOWT: **objection** relating to inadequate provision of green space, management of green space for the benefit of nature in perpetuity, insufficient mitigation for farmland birds and no evidence that the proposals will help to achieve the aims of the Conservation Target Areas.

- 7.33. NATURAL ENGLAND: **No objection** as it is considered that the proposed development will not have a significant adverse impact on designated sites.

Update on revised submission: **potential objection** as the application could have potential significant effects on Oxford Meadows Special Area of Conservation and requires further information to inform the Habitats Regulation Assessment to demonstrate that there will be no adverse impact on the integrity of Oxford Meadows SAC as a result of the development in relation to air quality.

Update following further submission: Comments are still awaited at the time of writing the report.

- 7.34. ACTIVE TRAVEL ENGLAND: **objects** and request further assessment, evidence, revisions and or dialogue regarding connections into the Croudace site adjacent and Cutteslowe Park, off-site active travel infrastructure quality, car and cycle parking strategy.

Update following revised submission: **objection** maintained.

- 7.35. THAMES VALLEY POLICE: Request section 106 contributions of £132,157 towards cost of policing to serve the development for staff, cars and cycles, mobile IT, ANPR cameras and premises.

- 7.36. THAMES VALLEY POLICE CRIME PREVENTION: **concerned** that crime prevention and community safety has not been a significant consideration in documents submitted to date and must be addressed in forthcoming applications. TVP will seek to secure Secured by Design Accreditation. Significant concern regarding the amount of rear parking within parking courts proposed. Podium/undercroft parking can also be at higher risk of crime. An addendum should be added to the DAS which comprehensively addresses the issue of safety and security across the site. Guidance within the NPPF regarding crime and creating safe places should be met.

- 7.37. SPORT ENGLAND: **object** on the grounds of lack of new sports provision to cater for the new development.

Update on revised submission: **support** the application and withdraw objection subject to a suitable S106 being signed.

- 7.38. BRITISH HORSE SOCIETY: **objections** relating to Bridleway 229/9/30, an unmetalled public right of way used extensively by walkers, runners, horse-riders and cyclists. There is a lack of detail regarding surfacing, proposed signage, access for horse riders to Cutteslowe Park has not been considered, crossing controls must be suitable for equestrian users. These should be addressed prior to consent being granted.

- 7.39. OXFORDSHIRE FIRE SERVICE: **comment** that there should be sufficient access for fire vehicles, sufficient provision of fire hydrants and Sprinklers within the design of the school and community buildings.

- 7.40. OXFORD BUS COMPANY: **support** the application proposals regarding bus improvements.

- 7.41. RAMBLERS ASSOCIATION: **object**, the development will cause serious harm to footpath 229/8 and bridleway 229/9 unless user safety is addressed. Landscape value of the area is also affected.

- 7.42. BOB ICB: Section 106 contribution sought of £691,200.00 to support local plans to surgery alterations or capital projects to support patient services.

8. RELEVANT PLANNING POLICY AND GUIDANCE

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

8.2. 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 Council also adopted the Partial Review to account for Oxford's Unmet Housing Need in September 2020. 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 (PART1) PARTIAL REVIEW – OXFORD'S UNMET HOUSING NEED

- PR1: Achieving Sustainable Development for Oxford's Needs
- PR2: Housing Mix and Tenure
- PR3: The Oxford Green Belt
- PR4a: Sustainable Transport
- PR4b: Kidlington Centre
- PR5: Green Infrastructure
- PR6a: Land East of Oxford Road
- PR11: Infrastructure Delivery
- PR12a: Delivering Sites and Maintaining Housing Supply

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

- PSD1 – Presumption in Favour of Sustainable Development
- SLE4 – Improved Transport and Connections
- BSC1 – District Wide Housing Distribution
- BSC2 – Effective and Efficient Use of Land – Brownfield Land and Housing Density
- BSC7 – Meeting Education Needs
- BSC8 – Securing Health and Well-Being
- BSC9 – Public Services and Utilities
- BSC10 – Open Space, Outdoor Sport and Recreation Provision
- BSC11 – Local Standards of Provision – outdoor Recreation
- BSC12 – Indoor Sport, Recreation and Community Facilities
- 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 (SuDS)
- ESD8 – Water Resources
- ESD9 – Protection of Oxford Meadows SAC
- ESD10 – Protection and Enhancement of Biodiversity and the Natural Environment
- ESD11 – Conservation Target Areas
- ESD13 – Local Landscape Protection and Enhancement
- ESD14 – Oxford Green Belt
- ESD15 – Character of the Built and Historic Environment
- ESD17 – Green Infrastructure
- INF1 - Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- TR1 – Transportation Funding
- C18 – Development Proposals affecting a Listed Building
- C28 – Layout, design and external appearance of new development
- C30 – Design Control

8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- National Design Code
- The Planning (Listed Buildings and Conservation Areas) Act 1990
- EU Habitats Directive
- Natural Environment and Rural Communities Act 2006
- Conservation of Habitats and Species Regulations 2017
- Circular 06/2005 (Biodiversity and Geological Conservation)
- Human Rights Act 1998 (“HRA”)
- Equalities Act 2010 (“EA”)
- PR6a Development Brief
- Cherwell Residential Design Guide SPD 2018
- CDC Developer Contributions SPD 2028
- OCC Adopted Street Design Guide 2021
- Oxfordshire Local Transport and Connectivity Plan – 2022 - and related documents such as the Central Oxfordshire Travel Plan, Innovation Framework, Active Travel Strategy, Freight and Logistics Strategy.
- Oxfordshire Parking Standards for New Developments – 2022
- Oxfordshire Implementing ‘Decide and Provide’ – 2022
- Oxfordshire Rail Corridor Strategy – 2021
- Oxfordshire Electric Vehicle Infrastructure Strategy – 2021
- Oxfordshire LCWIPs, Cycling Design Standards and Walking Design Standards
- Oxfordshire Mobility Hub Strategy – 2023

9. APPRAISAL

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

- Principle of development
- Environmental Impact Assessment
- Design, Impact on the character of the area and Design Brief
- Heritage Impact
- Ecology Impact
- Landscape Impact, Green Infrastructure and Recreation Provision
- Arboriculture
- Affordable Housing and Housing Mix
- Highways, Access and Transport
- Flood Risk and Drainage
- Climate Change and Sustainability
- Health and Well-Being
- Planning Obligation

Principle of Development

- 9.2. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. Paragraph 12 of the National Planning Policy Framework (NPPF) makes it clear that it does not change the statutory status of the development plan and the starting point for decision making. The development Plan for Cherwell comprises the adopted Cherwell Local Plan 2011-2031 Part 1 (CLP 2015), the adopted Cherwell Local Plan 2011-2031 Partial Review – Oxford’s Unmet Housing Need and the saved policies of the adopted Cherwell local Plan 1996. The policies important to determining this application are referenced above.

Policy Context

- 9.3. Policy PSD1 of the CLP 2015 requires a proactive approach to considering development proposals to reflect the presumption in favour of sustainable development and to secure development that improves the economic, social and environmental conditions in the area.
- 9.4. The CLP seeks to allocate sufficient land to meet district-wide housing needs. The overall housing strategy is to focus housing growth at the towns of Bicester and Banbury to 2031. Policy BSC1 states that Cherwell will deliver a wide choice of high-quality homes. The CLP 2015 Partial Review – Oxford’s Unmet Housing Need provides a vision, objectives and specific policies for delivering additional development to help meet Oxford’s housing needs and which can be viably delivered by 2031 in accordance with cross-boundary strategic priorities so that the vision and objectives are achieved without undermining the existing CLP 2015.
- 9.5. A key material consideration is the National Planning Policy Framework (NPPF) which sets out the Government’s planning policy for England and is supported by Planning Practice Guidance (PPG). The NPPF states that the purpose of the planning system is to contribute to the achievement of sustainable development. This is defined as meeting the needs of the present without compromising the ability of future generations to meet their own needs and advising at paragraph 10, a presumption in favour of sustainable development. Paragraph 11 states that applying the presumption means:
- Approving development proposals that accord with an up-to-date development plan without delay; or
 - Where there are no relevant development policies, or policies which are important for determining the application are out-of-date (this includes for applications involving the provision of housing, situations where the local planning authority cannot demonstrate a five-year housing land supply of deliverable sites), granting permission unless:
 - The application of policies in this Framework that protect areas or assets of particular importance provides a clear reason for refusing the development proposed:
 - Or any adverse impacts of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in this Framework as a whole.
- 9.6. Paragraph 12 of the NPPF advises as follows in respect of sustainable development and the status of the Development Plan:

'The presumption in favour of sustainable development does not change the statutory status of the development plan as the starting point for decision-making. Where a planning application conflicts with an up-to-date development plan (including any neighbourhood plans that form part of the development plan), permission should not usually be granted. Local planning authorities may take decisions that depart from an up-to-date development plan, but only if material consideration in a particular case indicate that the plan should not be followed.'

- 9.7. Section 5 of the NPPF focuses upon the delivery of a sufficient supply of homes stating:

'To support the Government's objective of significantly boosting the supply of homes, it is important that a sufficient amount and variety of land can come forward where it is needed, that the needs of groups with specific housing requirements are addressed and that land with permission is developed without unnecessary delay.'

- 9.8. Having regard to the above, the NPPF lists a number of core planning principles that should underpin decisions but points out in a footnote that there are a number of policies in the Framework that indicate there may be a need to restrict development in order to protect designated sites, including designated heritage assets. This is discussed in more detail below.

- 9.9. Paragraph 77 highlights the need for local planning authorities to identify and update annually a supply of specific deliverable sites sufficient to promote a minimum of five or four years supply of housing against their housing requirement set out in the adopted strategic policies or against their local housing need where strategic policies are not more than five years old (unless these strategic policies have been reviewed and found not to require updating as in Cherwell's case). Four years of supply applies where the provisions of paragraph 226 apply.

Assessment

- 9.10. The site is allocated for residential development under Policy PR6a of the CLP Partial Review 2020 which identifies 48 hectares of land to the east of Oxford Road and north of Oxford City. This includes the development of 690 dwellings on approximately 25 hectares of land. The remaining hectares are to be retained within the Green Belt to provide an extension to Cutteslowe Park, a green infrastructure corridor and land retained for agricultural use. The whole application site extends to 45.8ha and falls within the strategic allocation in the Local Plan Policy PR6a. Policy PR6a is therefore the primary policy of the Development Plan, and the proposals should be assessed against it. Policy PR6a states that the application shall be supported and proposed in accordance with a Comprehensive Development Brief for the entire site. The PR6a Development Brief was approved by Cherwell Planning Committee on 8th September 2022. Policy PR6a is comprehensive in its requirements including matters relating to transport, connectivity, biodiversity, green infrastructure, recreation, drainage, heritage and recreation provision.

- 9.11. The key delivery requirements set out in Policy PR6a are as follows:

- Construction of 690 dwellings on approximately 25 hectares
- 50% of homes to be affordable
- Provision of a 2 Form Entry Primary school on 2.2 hectares
- Local centre on 0.5 hectares

- Facilities for formal sports, play areas and allotments within the developable area
 - Extension to Cutteslowe Park on 11 hectares
 - Green infrastructure corridor along eastern boundary on 8 hectares
 - Retention of 3 hectares of land to remain in agricultural use
- 9.12. The proposal will assist in delivering new homes and meeting the overall Oxford's unmet housing need requirement within Cherwell. A separate five-year housing land supply is calculated specifically for Oxford's unmet housing need (4,400 dwellings) due to:
- The Council already has an adopted Local Plan 2011-2031 (Part 1) which sets out the district's own identified need and plan to meet that need; and
 - Six specific sites are ring-fenced as allocations in the Partial Review to deliver 4,400 dwellings to meet Oxford's distinct unmet housing need.
- 9.13. The Oxfordshire Growth Board agreed upon a common assumed start date of 2021 for the commencement of development after the adoption of the respective local plan reviews or updates without precluding earlier delivery. The site allocations and progress are therefore monitored from April 2021 and reported in the Annual Monitoring Reports. The Council's Housing Land Supply Statement December 2023 reports on progress on the allocated sites in the Local Plan Partial Review and indicates a 0.1-year land supply or a shortfall of 2,839 dwellings for the period 2023-2028.
- 9.14. Whilst there are resolutions to grant planning permission subject to section 106 on two of the partial review sites and another granted at appeal in April this year, development has yet to commence in respect of these allocations. The Council is therefore unable to currently demonstrate a five-year housing land supply in respect of the Partial Review Plan and meeting Oxford's unmet housing need. The application site is one of the sites on which the Council is dependent to provide the necessary land supply.
- 9.15. The application proposals broadly meet the requirements of Policy PR6a with the following exceptions:
- 800 dwellings are proposed, an additional 110 above the allocation. This is considered acceptable in principle provided it does not adversely impact on the delivery of the policy requirements of the site.
 - Primary school is located centrally within the site, this departs from the location in the Local Plan, however the Local Plan indicates minor variations in the location of uses will be considered where evidence is available. The Development brief proposes the location of the primary school near the local centre but towards the north of the site, but is marked in the development brief as indicative, subject to further detailed assessment.
 - The local centre is proposed centrally within the site close to the school, again this departs from the location in the Local Plan for this use, however, the Local Plan indicates minor variations in the location of uses will be considered where evidence is available. The location of the local centre is in accordance with the broad location established in the Development Brief.

- Formal sports provision is not provided on site as this will be provided as a comprehensive scheme for all the PR sites on PR7a. The play provision and allotments are in some areas provided outside the developable area within the green infrastructure corridor and Cutteslowe park extension.

- 9.16. The comments of Gosford and Water Eaton Parish Council and local residents regarding the increased number of units proposed are noted, however, it is considered that the development of 800 homes is acceptable in principle subject to all other policy requirements having been met and these are discussed further below.
- 9.17. The land parcel to be retained in agricultural use is not part of the current proposal. Any proposals coming forward in the future for this parcel of land will be subject to Policy PR6a and the requirement for this land parcel to be kept free of buildings to avoid landscape impact.

Conclusion

- 9.18. Overall, the proposals follow the principles of the PR6a allocation and the Development Brief and are therefore considered to be in accordance with the above-mentioned policies and the NPPF in terms of the principle of the development proposed on the site subject to the assessment of detailed matters as below.

Environmental Impact Assessment

- 9.19. The application is accompanied by an Environmental Statement (ES). The ES covers Access and Transport, Ecology and Biodiversity Net Gain, Landscape and Visual Impact, Contamination, Heritage, Landscape Strategy, Air Quality, Noise and Vibration, Drainage and Flood Risk, Lighting and Climate Change. The ES identifies significant impacts of the development on the environment and the locality, and the mitigation considered to make the development acceptable.
- 9.20. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 Regulation 3 requires that local authorities shall not grant planning permission or subsequent consent pursuant to an application to which this regulation applies unless they have first taken the environmental information into consideration, and that they shall state in their decision that they have done so.
- 9.21. The information contained within the submitted Environmental Statement has been considered as part of assessing the merits of the application and the impacts of the proposed development and the mitigation measures necessary to make the development acceptable. These matters are discussed in more detail below.
- 9.22. Having assessed the Environmental Statement, Officers are satisfied for the reasons set out below that the adverse environmental effects of the development would not be significant subject to the mitigation measures set out in the resolution of technical matters and as secured through the recommended conditions and legal agreement clauses. This report should be considered as the Council's statement for the purposes of regulation 26c of the EIA Regulations 2017 (as amended).

Design, Impact on the Character of the Area and Development Brief

- 9.23. Policy PR6a states that the application shall be supported by and proposed in accordance with a comprehensive Development Brief for the entire site. The development brief has been subject to extensive stakeholder engagement and formal public consultation and was considered at the planning committee and approved as guidance in September 2022 and is therefore a material consideration in the determination of this application.

- 9.24. The NPPF emphasises the need for good design and local distinctiveness, and this is further emphasised by Policy ESD15 of the CLP 2015 which advises that new development should build on the character of Cherwell. It also advises that the design standards for new development, whether housing or commercial development are equally important and seeks to provide a framework for considering the quality of the built environment to ensure we achieve locally distinctive design which reflects and respects the urban or rural context within which it sits.
- 9.25. The Cherwell Local Plan 1996 contains saved Policy C28 which states that '*control will be exercised over all new development to ensure the standard of layout, design and external materials are sympathetic to the character of the urban or rural context of the development*'. Saved Policy C30 states that '*design control will be exercised to ensure..(i) that new housing development is compatible with the appearance, character, layout, scale, and density of existing dwellings in the vicinity and (iii) that new housing development or any proposal for the extension (in cases where planning permission is required) or conversion of an existing dwelling provides standards of amenity and privacy acceptable to the local planning authority*'.
- 9.26. Policy PR6a is also quite specific in its place shaping principles requiring:
- i. *a layout, design and appearance for a contemporary urban extension to Oxford City that responds to the 'gateway' location of the site, is fully integrated and connected with the existing built environment, maximises the opportunity for sustainable travel into Oxford, provides high quality, publicly accessible and well connected green infrastructure and ensures a sensitive relationship with the site's Cherwell Valley setting;*
 - ii. *the provision of a landscaped green infrastructure corridor at the eastern settlement edge which links Cutteslowe Park to Oxford Parkway, minimise the visual and landscape impact of the development, creates an appropriate setting to the Listed St Frideswide Farmhouse and Wall and provides a clear distinction between the site and the Green Belt;*
 - iii. *the provision of connecting green infrastructure corridors running east-west across the site;*
 - iv. *the provision of an active frontage along Oxford Road while maintaining a well treed streetscape;*
 - v. *the public open green space/extension to Cutteslowe Park and agricultural land to be kept free of buildings to avoid landscape impact;*
 - vi. *the location of archaeological features, including the tumuli to the east of Oxford Road, should be incorporated and made evident in the landscape design of the site and*
 - vii. *a layout and design that encourages the sustainable and safe management of waste by individual households and by residents collectively while minimising the visual and pollution impacts*'.
- 9.27. The Cherwell Residential Design Guide SPD 2018 seeks to ensure that the quality of design across the district is raised, ensuring a legacy of successful places for future generations to enjoy. The design guide is a material consideration, and the proposal should therefore accord with the requirements and advice of the Design Guide and this submission has therefore been assessed against it accordingly.

- 9.28. Section 12 of the NPPF – Achieving well-designed places advises that the creation of high-quality buildings and places is fundamental to what planning and the development process should achieve. The NPPF further emphasises that ‘high quality design supports a positive legacy leaving successful places which are both functional and beautiful and which engender a sense of community, are long lasting and age well’.
- 9.29. A well-designed masterplan or layout will incorporate good design practice and standards. Urban form is also an important element in defining the character of a place. Design is not only about the physical appearance of a development but how it works, functions and fits together, ensuring a quality of life for those who live there.
- 9.30. Policy ESD15 advises that the design of all new developments will need to be informed by an analysis of the context, together with an explanation and justification of the design principles that have informed the design rationale which should be demonstrated within a Design and Access Statement. The application was accompanied by a design and access statement (DAS) which appropriately set out the vision for the development of the site having regard to the site’s constraints and opportunities, but generally lacked any real detail regarding the layout and design of the proposed development and did not provide any real commitment to ensure that the vision as set out could and would be successfully delivered. This has not been addressed through the revised submission, which is disappointing, but it is considered that this is a matter that can be dealt with through the reserved matters once the layout and design is established in more detail.
- 9.31. The DAS set out that the vision for the development of the site, includes a nature-led design that connects the development with the natural environment with green spaces for wildlife diversity, health and well-being and to exceed environmental and quality standards. To ensure that these can all be achieved, the green infrastructure parameter plan, the landscape strategy and biodiversity enhancement proposals must work together to create meaningful habitat and wildlife corridors and usable public open space. The original submission failed to bring all these elements together successfully and the applicant was requested to consider this matter further. Whilst the revised submission has now committed to a replacement planted buffer along the Oxford Road boundary and a green area of open space to the south of the school site, the proposals still lack commitment in terms of width and extent of buffers to existing hedgerows to be retained and east west habitat/wildlife links through the development as required by Policy PR6a and the Design Brief which is disappointing. This matter will need to be considered further at reserved matters.
- 9.32. The character analysis did not provide any real analysis of the immediate area, either Kidlington or North Oxford, and instead focussed on modern developments elsewhere, including other parts of the country. Whilst it is agreed that the site could benefit from a more contemporary approach to the design of the development as required by PR6a place shaping principles, it must also be locally distinctive in its design and choice of materials. This new development will form an important new gateway into Oxford and must be read as such rather than an ‘anywhere’ development. The choice of materials must also reflect the local area, natural limestone being a key traditional material and the reference in the DAS to light coloured stone/brick and brown brick are not suitably specific. The DAS has now been amended to include stone, but the building examples remain for the majority from other parts of the country. Design of the scheme including how it is locally distinctive will be an important consideration at reserved matters.
- 9.33. The DAS should also be accurate in terms of illustrations and what might be subsequently built and also reflect other illustrative plans and parameter plans such as green infrastructure provision. Another significant inconsistency related to the

Oxford Road frontage where the DAS advised that the existing planting would be retained in part with new formal planting. This did not accord with the landscape strategy and transport proposals which identify that all planting along the Oxford Road frontage will be removed to provide the new super pedestrian/cycle highway along the A4165 Oxford Road and that a completely new landscape/wildlife buffer would be created further into the site. There were also a number of other inconsistencies in the DAS when compared to other plans and proposals which the applicant was requested to address. A number of inconsistencies remain, but this document is a guide to the development and again these matters can be successfully addressed through the reserved matters submissions.

- 9.34. The Landscape and Access Parameter Plan is not fully in accordance with the approved Development Brief or Policy PR6a in terms of the location of the school and local centre which were under much discussion at pre-application. The now central location of the school and local centre in close proximity is welcomed, however, the proposed school site is compromised by the eastern green infrastructure buffer and the barrows. The issue of whether there is sufficient space to accommodate the spine road and the school between these two significant constraints has been discussed at length and submitted cross-sections indicate that it can be accommodated without further compromising the eastern buffer or the barrows. The original submission indicated a variation of +/- 10 metres along each of the boundaries, with the exception of the eastern boundary. This variation could be critical if the northern and western boundaries were moved outwards by 10m which could ultimately result in the school location being considered unacceptable. The revised submission has removed these variations. The position of the school building and indicative layout of the school site was discussed at length during pre-application and has been agreed in principle by OCC Education.
- 9.35. The submission includes a building heights parameter plan. Proposed building heights have also been subject to much discussion during both the pre-application submission and the consideration of the planning application. The parameter plan has been amended during the consideration of the application so that it is now more aligned with the Development Brief. The parameter plan indicates building heights along Oxford Road frontage of predominantly 3 storeys with occasional 4 storey in key locations and predominantly 2 storeys around Pipal Cottage. Within the centre of the site buildings are indicated as 3 storeys and to the eastern part of the site 2-3 storeys. Whilst a development of this scale will have a significant impact upon the character of Oxford Road and the surrounding area, as it is on the whole consistent with the Development Brief is considered acceptable. It should be noted that these are maximum building heights and final typologies which will dictate scale, massing and height will be considered further at reserved matters stage. It should be noted however, that due to the increased number of dwellings proposed and therefore density of the development, it is likely that a significant number of dwellings provided will be in the form of flats and apartments.
- 9.36. A Green Infrastructure Plan has also been submitted with the application. The original submission lacked any commitment to the width of green infrastructure corridors throughout the site, including the Oxford Road frontage where all the existing trees and planting are to be removed to accommodate the Cycle Superhighway and bus lane. The reference to the Oxford Road frontage identified a buffer but stated that it would be 'up to' 9m wide, so in theory could be significantly less and still accord with the plan which would not be acceptable or appropriate in terms of replacement mitigation. Following discussions, the parameter plan has been amended to show a minimum of 9m at the southern frontage to Oxford Road and a minimum of 6m to the north of the existing footpath/bridleway which is now accepted. It is regrettable that there is no commitment to landscape buffers running east-west across the site, particularly where there are existing hedgerows to be retained, such as along the

Water Eaton bridleway and existing access to St Frideswide farm which would contribute towards the vision for the development as set out in the DAS as nature led. This matter will need to be discussed further at reserved matters stage.

- 9.37. Having regard to the above, taking into consideration the amendments secured, the proposals would achieve an appropriate basis for the reserved matters submissions. The proposals would be in accordance with Policy ESD15 of the CLP 2015, associated guidance within the development Brief for the site and the aims and objectives of the national Planning Policy Framework.

Heritage Impact

Legislative and policy context

- 9.38. The site is located within an area of known archaeological potential and has been the subject of two phases of geophysical survey and archaeological trenched evaluation, which both recorded areas of archaeological features.
- 9.39. The first evaluation (Oxford Archaeology 2020) covered the southern two thirds of the site and recorded three general foci of activity. In the northern field of this phase, two round barrows were known from previous mapping and historical records of the site, and carbon sampling from the features recorded in the trenching revealed them to be Anglo-Saxon in date, overlying initial Bronze Age activity. This is rare within Oxfordshire and as outlined in the submitted Archaeology and Heritage Assessment they are of regional significance (EDP 2023). The proposals therefore designate the area of these barrows and a 5m buffer surrounding them, as green space, and after previous discussions with the County Archaeology Service, it has been agreed that the barrows should be preserved *in situ*. The Barrow Park area, including the buffer zone, will have to be protected and physically preserved within the development. The impact of the proposed play area immediately to the north of the barrows and any landscaping associated with this park may have to be mitigated. In the remaining foci of activity in the first phase, a group of Iron Age roundhouses were recorded along with evidence of a possible kiln and four post structures, as well as other linear and pit features dated to the Iron Age.
- 9.40. Phase two of the archaeological evaluation focussed on the northern land parcel immediately to the south of Oxford Parkway Station and Park and Ride (Cotswold Archaeology 2021). This area recorded a small number of archaeological remains likely dating from the Troman period, though the dating evidence for these features was sparse.
- 9.41. The Anglo-Saxon barrows will be preserved within the development proposals however, the remaining features recorded in the archaeological evaluation will need to be subject to a further phase of archaeological evaluation, prior to the development of the site. Conditions are therefore recommended accordingly.
- 9.42. The development of the site will also affect the setting of St Frideswide Farmhouse a Grade II* listed building and its Grade II Listed Wall. The grouping of Pipal Cottage and adjacent barns are Non-designated Heritage Assets as they are listed as Local Heritage Assets and therefore locally listed. The farmhouse is 16th-century in origin and may have replaced an earlier manor house associated with the nearby Cutteslowe Deserted Medieval Village. The house has undergone a number of adaptations throughout the 17th, 18th and 20th centuries, however, remains a good example of what is a reasonable grand 16th-century farmhouse. It is Grade II* listed due to its early fabric, intact nature and the ability to understand its long history.

- 9.43. Section 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (as amended) states that in carrying out its functions as the Local Planning Authority in respect of development in a conservation area: *special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.*
- 9.44. Section 66 of the Planning (Listed Buildings and Conservation Areas) Act states that: *In considering whether to grant planning permission for development which affects a listed building or its setting, the local planning authority...shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.* Therefore, significant weight must be given to these matters in the assessment of this planning application.
- 9.45. Conservation Areas and Listed Buildings are designated heritage assets, and Paragraph 205 of the NPPF states that: *when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Policy ESD15 of the CLP 2031 Part 1 echoes this guidance.
- 9.46. The NPPF reiterates the Government's commitment to the historic environment and its heritage assets which should be conserved and enjoyed for the quality of life they bring to this and future generations. It emphasises that the historic environment is a finite and irreplaceable resource, and the conservation of heritage assets should take a high priority. Local planning authorities should take into account the desirability of sustaining and enhancing the significance of heritage assets in considering a proposal and also desirability of new development making a positive contribution to local character and distinctiveness.
- 9.47. The application is accompanied by a Heritage Assessment. This is a new document in respect of the application and was not submitted for consideration during pre-application discussions despite requests for this to be shared to enable a full and considered assessment be made of the proposals, including the proposed building heights and details of the eastern green infrastructure corridor at that time. This has now been assessed by Historic England and the Conservation Officer.
- 9.48. It is accepted that as an allocated site, its development will have an impact on the currently tranquil setting of the Grade II* listed St Frideswide Farmhouse, the separately Grade II listed wall, the associated farmstead and the non-designated heritage assets of Pipal Cottage. The principle of development has however been established by the Local Plan. As no designated heritage asset is being physically changed the harm will be in the 'less than substantial' category, but we need to be confident that any harm will be at the lower end of this category. The erosion of the farmland setting, the massing of the proposed development, the change in lighting and noise levels will result in a change that would lead to a loss of significance to the two farmsteads.
- 9.49. The position of the school in the approved development brief for the site shows the school at the northern end of the site and at a lower part of the site, which was considered to be a more comfortable distance from St Frideswide. The submitted masterplan however now proposes the school more centrally within the site, which is also at a higher ground level and considerably closer to St Frideswide which is of concerns having regard to the proposed potential height of the school building. The maximum height of the school building is indicated at 11m, which when the topography of the land is also taken into account could introduce a very substantial building very close to this Grade II* building and would be at odds with its vernacular scale and dominate the farmhouse, which historically has been the focal point in the

surrounding landscape. The development will also be noticeable when walking along the Public Rights of Way that cross the fields to the south of the farmhouse, where the close relationship of the historic farmstead to the rural landscape can be appreciated.

- 9.50. Paragraph 195 of the NPPF advises that Heritage assets are '*an irreplaceable resource and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations*'. The original submission did not include any wirelines or photomontages to support the building heights proposed and the impact of such development on the setting of the farmhouse. In the absence of a full assessment the applicant was advised that any resultant harm could not be assessed accordingly.
- 9.51. Paragraph 201 of the NPPF advises that local planning authorities should identify and assess the particular significance of any heritage asset that may be affected by a proposal (including any development affecting the setting of a heritage asset) in order to avoid or minimise any conflict between the heritage asset's conservation and any aspect of the proposal.
- 9.52. Paragraph 205 of the NPPF further advises that when considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.
- 9.53. Paragraph 206 advises that any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.
- 9.54. Paragraph 208 advises that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal. In terms of non-designated heritage assets such as Pipal Barns, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.
- 9.55. The photomontages that were submitted with the revised submission are helpful in confirming the reservations advised by both Historic England and Conservation Officer in terms of the effectiveness of the landscape buffer, and the proposed building heights, massing and proximity of the development to the Grade II* listed St Frideswide Farmhouse, the separately listed wall, and the overall setting which includes the garden, orchard and farmstead. Heritage concerns have also been raised regarding the impact of the massing of the proposed school and eastern edge of the housing on the sensitive rural setting of this Grade II* listed building. As the new proposed buffer planting will take many years to mature the conservation Officer considers that the harm will be at the higher end of 'less than significant' for a considerable time. There is also concern that the currently tranquil setting of the farmhouse will be affected by the position of the school.
- 9.56. The views and photomontages show the worst-case scenario with ground levels at +2m, with maximum parameters based on the full extent of the blocks shown on the height parameters plan. Following discussions with the applicant and agent, it has become evident that the school building is likely to vary in height across its structure with lower sections rather than a single building of 11m across its entirety which will help reduce its impact on the setting of the farmhouse. Further, the school building is proposed at the northern end of the school site with the proposed playing fields in closest proximity to St Frideswide Farm. It is therefore accepted that the impact is

likely to be less harmful than indicated by the photomontages, albeit the development of this site as proposed will have a significant impact on the setting of this farmhouse which is currently located within a very rural setting away from built development.

- 9.57. The current proposal increases the number of dwellings from 690 to 800 which could result in an overall increase in the height of buildings and less space around buildings due to the increased density which could impact further on the setting of the Grade II* listed St Frideswide Farmhouse which would be unfortunate. However, the submitted building heights parameter plan accords with the heights set out in the Development Brief and as these are also maximum heights, the heights will be considered further at reserved matters once a layout and scheme is available to assess.
- 9.58. Concerns were also raised in respect of proposed lighting which was also considered would have a harmful impact on the setting of St Frideswide Farm in this truly rural and isolated setting. The development will need to be lit for safety reasons, however, the applicant has recently advised and confirmed in writing that the eastern green infrastructure corridor will not be lit. There is now not requirement to light this route as it will not be adopted by OCC and a footpath/cycle link from the Water Eaton Parkway and Cutteslowe Park will now be provided directly through the centre of the site along the main spine road. The removal of lighting from this eastern buffer will not only reduce harm to the setting of the listed farmhouse but also be of benefit to wildlife and is therefore considered acceptable.
- 9.59. To conclude in respect of St Frideswide Farmhouse, the Conservation Officer advises that the farmstead and wider agricultural landscape makes a positive contribution to the significance of the designated heritage asset. The submitted views show that the Grade II* listed St Frideswide Farmhouse and its rural setting will not be well protected due to the proximity of the school and housing at the heights proposed within the height parameter plan and with the landscape buffer proposed. The loss of the farmland setting will damage the significance of the farmhouse which relied on the surrounding land to make its living. The loss of this relationship will be apparent to this and future generations. The change would in the opinion of the Conservation Officer have a negative impact on the setting and historical association of the designated heritage assets at St Frideswide including the ability to appreciate that significance and tranquillity, and also on the non-designated heritage assets at Pipal Cottage and barns.
- 9.60. In terms of Pipal Cottage which is a small two-storey vernacular building and Barns which are non-designated heritage assets, following discussions, the height of buildings within the immediate vicinity which originally indicated 4/5 storey up to 14m, have now been reduced to 2-2.5 storey which is considered to be more appropriate. The application proposal seeks consent to demolish Pipal Barns. Whilst the demolition of the barns would be regrettable as their retention would help to preserve a sense of place, enforcing the site's history as agricultural land, Policy PR6a does not require their retention and it is considered that a reason for refusal based on the loss of these buildings on an allocated site cannot be substantiated.
- 9.61. The views of the Conservation Officer above are understood, and it is accepted that the development proposed will have a harmful impact on the setting of both St Frideswide Farm and the non-designated heritage assets which is unfortunate. However, this is a site allocated for development within the adopted Partial Review Local Plan 2020 and the delivery of the housing which is specifically required to meet Oxford's unmet housing need and the harm must be weighed in favour of the public benefits of the proposal. It is therefore considered that on balance, the development is in accordance with the Development Plan and NPPF in this respect and is therefore acceptable.

Ecology Impact

Legislative context

- 9.62. The Conservation of Habitats and Species Regulations 2017 consolidate the Conservation of Habitats and Species Regulations 2010 with subsequent amendments. The Regulations transpose European Council Directive 92/43/EEC, on the conservation of natural habitats and of wild fauna and flora (EC Habitats Directive), into national law. They also transpose elements of the EU Wild Birds Directive in England and Wales. The Regulations provide for the designation and protection of 'European sites', the protection of 'European protected species', and the adaptation of planning and other controls for the protection of European Sites.
- 9.63. Under the Regulations, competent authorities i.e. any Minister, government department, public body, or person holding public office, have a general duty, in the exercise of any of their functions, to have regard to the EC Habitats Directive and Wild Birds Directive.
- 9.64. The Regulations provide for the control of potentially damaging operations, whereby consent from the country agency may only be granted once it has been shown through appropriate assessment that the proposed operation will not adversely affect the integrity of the site. In instances where damage could occur, the appropriate Minister may, if necessary, make special nature conservation orders, prohibiting any person from carrying out the operation. However, an operation may proceed where it is or forms part of a plan or project with no alternative solutions, which must be carried out for reasons of overriding public interest.
- 9.65. The Regulations make it an offence (subject to exceptions) to deliberately capture, kill, disturb, or trade in the animals listed in Schedule 2, or pick, collect, cut, uproot, destroy, or trade in the plants listed in Schedule 4. However, these actions can be made lawful through the granting of licenses by the appropriate authorities by meeting the requirements of the 3 strict legal derogation tests:
- (1) Is the development needed to preserve public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature and beneficial consequences of primary importance for the environment?
 - (2) That there is no satisfactory alternative.
 - (3) That the action authorised will not be detrimental to the maintenance of the population of the species concerned at a favourable conservation status in their natural range.
- 9.66. The Regulations require competent authorities to consider or review planning permission, applied for or granted, affecting a European site, and, subject to certain exceptions, restrict or revoke permission where the integrity of the site would be adversely affected. Equivalent consideration and review provisions are made with respects to highways and roads, electricity, pipe-lines, transport and works, and environmental controls (including discharge consents under water pollution legislation).

Policy Context

- 9.67. Paragraph 170 of the NPPF states that Planning policies and decisions should contribute to and enhance the natural and local environment by (amongst others): a) protecting and enhancing valued landscapes, sites of biodiversity or geological value

and soils; and d) minimising impacts on and providing net gains for biodiversity, including by establishing coherent ecological networks that are more resilient to current and future pressures.

- 9.68. Paragraph 175 states that when determining planning applications, local planning authorities should apply the following principles: a) if significant harm to biodiversity resulting from a development cannot be avoided, adequately mitigated, or, as a last resort, compensated for, then planning permission should be refused; d) development whose primary objective is to conserve or enhance biodiversity should be supported; while opportunities to incorporate biodiversity improvements in and around developments should be encouraged, especially where this can secure measurable net gains for biodiversity.
- 9.69. Paragraph 180 of the NPPF states that planning decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should (amongst others) limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation.
- 9.70. Policy ESD10 of the Cherwell Local Plan 2011-2031 lists measures to ensure the protection and enhancement of biodiversity and the natural environment, including a requirement for relevant habitat and species surveys and associated reports to accompany planning applications which may affect a site, habitat or species of known ecological value.
- 9.71. Policy ESD11 is concerned with Conservation Target Areas (CTAs) and requires all development proposals within or adjacent CTAs to be accompanied by a biodiversity survey and a report identifying constraints and opportunities for biodiversity enhancement.
- 9.72. These policies are both supported by national policy in the NPPF and also, under Regulation 43 of Conservation of Habitats & Species Regulations 2017, it is a criminal offence to damage or destroy a breeding site or resting place, unless a licence is in place.
- 9.73. The Planning Practice Guidance dated 2014 post-dates the previous Government Circular on Biodiversity and Geological Conservation (ODPM Circular 06/2005), although this remains extant. The PPG states that Local Planning Authorities should only require ecological surveys where clearly justified, for example if there is a reasonable likelihood of a protected species being present and affected by development. Assessments should be proportionate to the nature and scale of development proposed and the likely impact on biodiversity.

Assessment

- 9.74. Natural England's Standing Advice states that an LPA only needs to ask an applicant to carry out a survey if it's likely that protected species are:
- present on or near the proposed site, such as protected bats at a proposed barn conversion affected by the development.

It also states that LPA's can also ask for:

- a scoping survey to be carried out (often called an 'extended phase 1 survey'), which is useful for assessing whether a species-specific survey is needed, in cases where it's not clear which species is present, if at all
- an extra survey to be done, as a condition of the planning permission for outline plans or multi-phased developments, to make sure protected species aren't affected at each stage (this is known as a 'condition survey')

9.75. The Standing Advice sets out habitats that may have the potential for protected species, and in this regard the site consists of predominantly historic farmland and contains buildings of traditional construction, is close to the Cherwell Valley and is drained by a number of field ditches located at the boundaries of the site and there are a number of mature trees and hedgerows within and adjacent the site, and therefore has the potential to be suitable habitat for bats, breeding birds, badgers, reptiles, great crested newts, water voles and invertebrates. To the western boundary of the site with Oxford Road is a small woodland which has been identified as a wildlife corridor. Oxford Meadows Special Area of Conservation and a number of SSSIs lie within 5km of the site. The constraints have also identified a number of protected and notable Species on or close to the site. The application proposes the removal of Pipal Barns and associated adjacent hedgerow planting which are of original stone construction.

9.76. In order for the local planning authority to discharge its legal duty under the Conservation of Habitats and Species Regulations 2017 when considering a planning application where EPS are likely or found to be present at the site or surrounding area, local planning authorities must firstly assess whether an offence under the Regulations is likely to be committed. If so, the local planning authority should then consider whether Natural England would be likely to grant a licence for the development. In so doing the authority has to consider itself whether the development meets the 3 derogation tests listed above.

9.77. In respect of planning applications and the Council discharging of its legal duties, case law has shown that if it is clear/ very likely that Natural England will not grant a licence then the Council should refuse planning permission; if it is likely or unclear whether Natural England will grant the licence then the Council may grant planning permission.

9.78. The application is supported by an Environmental Statement which assesses the likely significant effects resulting from the development in terms of ecology and nature conservation. The application is also accompanied by an Ecological Appraisal which summarises the ecological interest within and around the site which has been identified through standard desk and field-based investigations. Policy PR6a also specifically requires that the submission includes (i) outline measures for securing net biodiversity gains informed by a Biodiversity Impact Assessment based on the DEFRA biodiversity metric (unless the Council has adopted a local, alternative methodology) to be agreed (ii) a proposed Biodiversity Improvement and Management Plan (BIMP) informed by the findings of the BIA and habitat surveys to be agreed before development commences (iii) measures for securing biodiversity net gain within the site (iv) measures for retaining and conserving protected/notable species (identified within baseline surveys), (v) demonstration that designated environmental assets will not be harmed, including that there will be no detrimental impacts down-river in the Cherwell Valley through hydrological, hydro-chemical or sedimentation impacts, (vi) measures for the protection and enhancement of existing wildlife corridors, (vii) creation of a green infrastructure network with connected wildlife corridors, including within the residential area, (viii) measures to minimise light spillage and noise levels on connective features and other habitat features of biodiversity value, (ix) protection of the orchard and waterbody adjoining St Frideswide Farm, (x) farmland bird

compensation, (xi) long-term wildlife management and maintenance and (xii) application supported by a phase 1 habitat survey.

9.79. The submission has been assessed by BBOWT, Natural England and the Ecology Officer. BBOWT raised a number of objections to the submission. The first relates to the inadequate provision of green space and suggests that additional space be created for a nature reserve and green space. The second relates to the management of green space for the benefit of nature in perpetuity which is considered to be at least 125 years as the loss of wildlife habitat will be permanent so the compensation must also be permanent. The third relates to insufficient evidence that populations of farmland bird species will be maintained contrary to the NPPF, Cherwell Local Plan and the Conservation of Habitats and Species Regulations 2010. The fourth reason advises that the application does not provided evidence that it will achieve the aims of the Conservation Target Area as required by Policy ESD11 of the CLP 2015. A concern was also raised regarding the implications for wildlife from the introduction of wildlife into this rural area as invertebrates, bats and birds are all highly sensitive to the introduction of lighting into dark areas.

9.80. The Ecology Officer advises that in general appropriate surveys have been carried out, but it is noted that an Extended Phase 1 Habitat survey was undertaken in February 2015 and that update walkover surveys were undertaken in May 2017 and 2021 and may be required to be updated at later stages. There are bats, breeding birds, wintering birds, reptiles, badger foraging, amphibians and invertebrates (butterflies) to be specifically considered in the proposals and mitigation as well as any Landscape Ecological Management Plan (LEMP) and Ecological Construction Management Plan (ECMS). As the application seeks for an increased amount of housing, this will likely decrease the green space available.

9.81. The Ecology Officer advised that a number of ecological issues should be addressed further as follows:

- No farmland bird compensation is proposed. The application stated that this would be agreed in the BIMP, however the ability to mitigate appropriately for the impact on farmland birds is fundamental to the acceptability of the scheme and should therefore be considered at this stage. Provision should also be made for Brown Hare (Priority species).
- There does not appear to be any areas of green space managed for biodiversity alone and concur with BBOWT that the value to wildlife of the proposed habitats to be created on site would be greatly improved if there was a large area of 'nature reserve' where public access was more limited and the focus was on wildlife.
- The BIMP lists a number of potential biodiversity enhancements which are welcome but are insufficient in terms of numbers.
- A Biodiversity Net Gain assessment has been carried out which suggests a 20% net gain; however, all the created habitats are proposed to reach only poor, fairly poor or moderate condition. Inclusion of a nature reserve area could allow some areas of better quality/priority habitats in good condition to be created.

9.82. The revised submission has sought to address the concerns raised above by the Ecologist and BBOWT. No further comments have been received from BBOWT but the ecology officer advises that previous comments regarding the lack of farmland bird mitigation and compensation have not been addressed by the revised submission and cannot see that any areas (aside from a small section to the north) of habitat

being sectioned off for wildlife without public access. Aside for these, the ecological surveys and reports are sufficient for this stage of development and a number of conditions are recommended relating to lighting, ecological construction method statement, biodiversity enhancements and habitat management and monitoring plan.

- 9.83. Following the above comments, the applicant submitted a Farmland Bird Mitigation Strategy which has been assessed by the ecology officer who advises that the mitigation scheme is satisfactory to show intention and the extent of the planned compensation for farmland birds and further advises that a full farmland bird mitigation scheme with identified location/management ongoing should be conditioned.
- 9.84. Natural England have also assessed the submission and initially raised no objection, but in respect of the revised submission raised an objection on the grounds that further information is required to determine impacts on designated sites. The application could have potential significant effects on Oxford Meadows Special Area of Conservation (SAC) and therefore additional information is required to inform the Habitats Regulation Assessment to demonstrate that there will be no adverse impact on the integrity of Oxford Meadows SAC as a result of the development in relation to air quality as a result of additional traffic emissions as a result of the development along the A40 east and west bound between Witney and Oxford and along the A34 north to south.
- 9.85. Following the above objection and request for additional information, the applicant has submitted an updated Shadow Habitats Regulations Assessment dated April 2024 which considers the implications of the proposed residential development on European Sites within the Zone of Influence of the proposal and providing further analysis of nitrogen deposition at Oxford Meadows SAC. Natural England have been re-consulted and a response is awaited.
- 9.86. Officers are satisfied, on the basis of the advice from the Council's Ecologist and the removal of the objection from Natural England, and subject to conditions, that the welfare of any European Protected Species found to be present at the site and surrounding land will continue and be safeguarded notwithstanding the proposed development and that the Council's statutory obligations in relation to protected species and habitats under the Conservation of Habitats & Species Regulations 2017, have been met and discharged.

Landscape Impact, Green Infrastructure and Recreation Provision

- 9.87. Policy ESD13 of the CLP 2015 requires landscape protection and enhancement opportunities to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through restoration, management and enhancement of existing landscapes, features or habitats or where appropriate the creation of new ones, including the planting of woodland, trees and hedgerows. Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would cause 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.
- 9.88. There was little discussion regarding landscape impact through the pre-application submission as no landscape impact assessment was submitted at that time for consideration. The application submission is now accompanied by a Landscape and Visual Landscape Impact Assessment (LVIA) which has been assessed by the Landscape Officer. It is comprehensive and follows a methodology based on the guidelines in GLVIA3 and the findings and conclusions in respect of the landscape

receptor are generally acceptable. However, some concern was raised regarding the significance of effects in relation to a number of viewpoints to the east of the site.

- 9.89. The site generally falls away from two main high points. The first is in the centre of the site along the western boundary with the A4165, with land falling to the north and east towards St Frideswide Farm. The second high point is located along the southern boundary with land falling from this point to the east from the north close to the Gosford and Water Eaton Park and Ride and from the Cherwell Valley to the east. The site is currently well screened from the south along Oxford Road by existing vegetation along the southern and western boundaries.
- 9.90. In terms of the Oxford Road frontage, it became evident during pre-application that the whole of the tree lined/woodland frontage of Oxford Road would be removed to provide the improvements to Oxford Road in terms of buses, and the pedestrian/cycle superhighway. Consequently, the views when approaching from Oxford to the south will be open. The original LVIA did not assess these views nor the views of the site from the railway line and the public right of way over the railway line. The applicant was requested to update the LVIA accordingly.
- 9.91. The revised submission including wirelines and photomontages has been re-assessed by the landscape Officer who advises that it demonstrates how domineering the structures proposed on the roadside will be for road user receptors and that the removal of the trees along the Oxford Road is unfortunate, but agrees with the submitted assessment which advises that *'overtime, as the planting along the site's western boundary matures and the proposed scheme weathers and assimilates into the landscape, these effects would reduce slightly and be moderate/minor adverse, which is not significant in EIA terms'*. The Landscape Officer further advises that the visualisations from Oxford Road with landscaping are aspirational because this is an outline application and we do not currently have a detailed scheme or landscape proposals. This may require a reappraisal of the impacts on Oxford Road receptors based on consented landscape proposals, resulting in the building line being set further back from the road to accommodate more space than shown on the Green Infrastructure plan to allow for earthworks, ditch and structural planting.
- 9.92. Oxford Road users are deemed to be of low sensitivity because they are primarily engaged with driving/walking/cycling, not the landscape. This would not necessarily be the case for bus passengers. However, with the considerable vegetation clearance along the site's western boundary which will be expose the development as construction impacts, an appropriate timeframe for planting will need to be agreed and implemented once the groundworks are implemented. This is to ensure the planting is achieved at the earliest opportunity during the first planting season after the completion of the groundworks in order for early establishment and maintenance of the Oxford Road landscape scheme.
- 9.93. The LVIA advises that given the scale of the proposed development there would inevitably be some adverse effect on visual receptors. However, it further advises that where views are available, the proposed development would be integrated within an extensive and far-reaching green infrastructure network, which will provide many benefits to biodiversity and landscape character. The submitted viewpoints indicate that currently there is a high level of intervisibility between the site and the countryside. Whilst Policy PR6a sets out that one of the primary purposes of the eastern infrastructure corridor is to minimise the landscape and visual impact of the development, concern has been raised about the effectiveness of this green infrastructure for this purpose as a consequence of the infrastructure proposed within it, including SUDS, attenuation basins, play spaces and allotments/community gardens and footpath/cycleway, leaving very little area for substantial tree planting. This matter will need to be very carefully considered when the reserved matters is

submitted to ensure that the green infrastructure planting along this eastern corridor is effective in terms of successfully mitigating the visual impact of the development from the Cherwell Valley and the Green Belt to the east and the setting of St Frideswide Farmhouse.

- 9.94. Concern was raised in respect of the original submission that the LVIA lacked commitment in terms of retaining existing vegetation as it advises that consideration should be given to retaining all trees wherever possible and then goes on to state that this will be dependent upon the proposals. The complete removal of the existing trees and hedgerows along the Oxford Road frontage and the need to provide sufficient and appropriate new planting were discussed at length during pre-application discussions. The submission has been subsequently amended to show a minimum 9m buffer along the southern part of the Oxford Road frontage behind the proposed highway improvement works which is considered acceptable.
- 9.95. Paragraph B253 of the CLP 2015 further advises that the Council seek to retain woodlands, trees, hedges, ponds and walls and any other features which are important to the character or appearance of the local landscape as a result of their ecological, historic or amenity value. The application site currently consists of historic farmland and woodland in the form of planting to the Oxford Road boundary and a number of species rich hedgerows within the site.
- 9.96. Policy PR3 of the Partial Review Local Plan establishes the principle of compensating for loss of Green Belt land, requiring proposals to contribute to improvements in the environmental quality and accessibility of land remaining in Green Belt, as detailed in the strategic allocation policies. In respect of this allocation the compensatory land includes 11 hectares as an extension to Cutteslowe Park, 8 hectares of green infrastructure corridor along the eastern boundary and the retention of 3 hectares of land in agricultural use. These requirements are additional to the open space standards set out under Policies BSC10 and BSC11 of the CLP 2015 which are expected to be achieved within the site's developable area. These requirements are also set out in the approved Development Brief for the site. It should also be noted that any wildlife corridors/ecological areas for biodiversity net gain will be in excess of these areas and need to be protected in the main from public access.
- 9.97. Policy PR5 – Green Infrastructure requires that the development will protect and enhance green infrastructure and incorporate green assets and the water environment into the design approach within the site. Concern was raised in respect of the original submission that the landscape strategy lacked a commitment to providing meaningful green infrastructure links through the development for both wildlife corridors and recreation use. Consequently, the applicant was advised that the width and function of these corridors need to be agreed at outline to ensure that they are successfully delivered through reserved matters.
- 9.98. The 8 hectare green infrastructure corridor along the eastern edge of the site is expected to perform a green and active travel function but importantly it is also expected to minimise the visual and landscape impact of the proposal, ensure development responds appropriately to the setting of the Grade II* listed St Frideswide Farmhouse and Grade II listed wall and Cherwell Valley beyond, and create a clear distinction between the site and the Green Belt.
- 9.99. This requirement is wholly in accordance with Government Policy. The NPPF at paragraph 142 states: *'where it has been concluded that it is necessary to release Green Belt land for development, plans...should also set out ways in which the impact of removing land from the Green Belt can be offset through compensatory improvements to the environmental quality and accessibility of remaining Green Belt land'*.

- 9.100. Paragraph 145 continues; *'once Green Belts have been defined, local planning authorities should plan positively to enhance their beneficial use, such as looking for opportunities to provide access, to provide opportunities for outdoor sport and recreation; to retain and enhance landscapes, visual amenity and biodiversity, or to improve damaged or derelict land'*.
- 9.101. Government policy in this respect is also reflected in Policy PR5 which sets out the Green Infrastructure requirements including the protection of existing trees and the opportunity for new tree planting, green infrastructure connectivity and assisting the beneficial use and permanence of the Green Belt, providing improvements to biodiversity and protecting the existing and proposed built and natural landscape for the protection or enhancements of the historic environment.
- 9.102. The application proposes the 8 hectare green infrastructure buffer along the eastern boundary as required, but the siting of the primary school and local centre in a more central location, which is safe and easily accessible to both PR6a and PR6b and having regard to the archaeological features within the centre of the site, has resulted in the width of the green infrastructure corridor compromised to accommodate the school resulting in an encroachment into this buffer of approximately 4 metres. Whilst this is unfortunate, it is considered that the benefits of placing the school in an easily accessible central location and close to the local centre and avoidance of heritage impacts on the archaeological interest in other areas, sufficiently outweighs the adverse impact of the encroachment into this green infrastructure by this small margin in this instance and is therefore accepted.
- 9.103. The submission has been assessed by the Landscape Officer who has raised concerns regarding the position of proposed play areas and facilities and in respect of child safety due to the proximity of play areas to water bodies/balancing ponds. It is also important that play areas, allotments/community gardens must also benefit from natural surveillance from the surrounding development and not placed behind structural planting. The community gardens/allotments should also have vehicular access for deliveries etc. The applicants were therefore requested to reconsider the position of these facilities within the park extension and eastern buffer. The revised green infrastructure parameter plan has sought to address these concerns although the main play area remains indicated within the park extension some distance from the built development.
- 9.104. Having regard to the above, the proposals are considered to now be generally acceptable in terms of landscape impact and the quantum of public open space and play space within the development itself in accordance with Policies ESD13 and BSC11 of the CLP 2015 and Government guidance within the NPPF and also in respect of the specific key delivery requirement of Policy PR6a in this respect.

Arboriculture

- 9.105. The site comprises arable farmland, with mature, native hedgerows defining field boundaries. Trees are almost exclusively located within hedgerows around the boundaries of the site or along the Oxford Road frontage. Two small areas of broad-leaved woodland are present within the western edge of the site alongside Oxford Road and there are sparsely scattered hedgerow trees. The baseline survey data for the whole site was collected in June 2021, with further survey work undertaken in August 2022 to assess the tree groups in detail along Oxford Road. There are two B1 category veteran trees identified on the eastern boundary of the study area and will not be impacted by the proposed built development. There are no Tree Preservation orders on the site.

- 9.106. Policy ESD13 of the CLP 2015 – Local Landscape Protection and Enhancement seeks to ensure that opportunities are taken to secure the character and appearance of the landscape through the management or enhancement of existing landscapes, features or habitats are enhanced with appropriate mitigation where damage to local landscape character occurs.
- 9.107. Paragraph 136 of the NPPF states that *'trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change'*.
- 9.108. The application is accompanied by an Arboriculture Impact Assessment (AIA) which identifies that a significant number of trees and hedgerow which for the majority fall within category C, will be removed as part of the development proposals, including all of the existing vegetation to the Oxford Road frontage. This has been assessed by the Arboriculture Officer. The starting point for any new development should be that all trees, hedgerows and vegetation should be retained unless there is clear justification for their removal with adequate replacements proposed. The Assessment advises that to mitigate for the loss of trees, new planting will be undertaken to ensure an overall net gain in tree stock, which will contribute to the overall setting of the new development.
- 9.109. The original draft AIA submitted during preapplication indicated that whilst the tree screen along Oxford Road individually were not of any great merit, they were important as a group in terms of the street scene and were to be retained. The revised AIA submitted with the application has recategorized the trees individually as Category C trees.
- 9.110. The proposed new vehicular accesses into the site, together with the proposed highway improvements to Oxford Road will result in the loss of trees and vegetation along the site frontage which currently as stated above, provides a good screen and green corridor on this entry into Oxford city. This was discussed at pre-application and a meeting held on site to discuss the implications of the tree loss as a consequence of the highway improvements including the new super cycle highway along Oxford Road. At that meeting it was agreed that further survey work would be undertaken, and cross-sections submitted for further consideration, but this however was unfortunately not forthcoming at that time. This is currently an important wildlife corridor and if it is to be removed, the loss must be adequately mitigated. At the site meeting it was agreed that if this belt could not be retained that any new tree belt must be sufficiently wide to accommodate 2 or 3 canopy levels with understorey planting with no public access. This was not reflected in the submission which lacked a commitment to ensure that this could be delivered. There are also changes in levels between the existing highway and the site along Oxford Road which as identified at pre-application is likely to result in the need for some form of retaining feature, the impact of which must also be considered in terms of how wide this buffer needs to be and what its function is in terms of providing a landscape screen, wildlife corridor, potential SuDS and recreation use.
- 9.111. Following further discussions with the applicant a revised green infrastructure parameter plan has been submitted which identifies a new landscape buffer along this section of the Oxford Road frontage at a depth of a minimum of 9 metres. It is considered that this is now acceptable and that there should be sufficient room to accommodate the necessary buffer planting and changes in levels.
- 9.112. In addition to the above, the pre-application site meeting also discussed the retention of the category B group of trees behind the proposed local centre and the need to keep this group intact with the built development moved away to allow future growth. It is again unfortunately noted that this is all to be removed. As above, the

proposed 9m deep buffer along this section should be sufficient to ensure appropriate replacement planting which will be of benefit as a wildlife corridor as well as helping mitigate the visual impact of the development.

9.113. This submission has been assessed by the Arboriculture Officer who raised initial concerns regarding the current level of detail within the landscaping strategy to fulfil the requirement for mitigation for the loss of the Oxford Road planting and the commitment to the provision of sufficient space is afforded at the outline stage to ensure a robust tree/landscape strategy is implemented as a principal component of the site. As advised above, following discussion and negotiations with the applicant during the consideration of the application, the applicant has sought to ensure a minimum of 9m buffer to the Oxford Road frontage. No further comments have been received from the Arboriculture Officer following re-consultation on this matter. In the absence of any further concerns from the Arboriculture Officer, the revised green infrastructure parameter plan is considered acceptable in this respect.

9.114. The application is therefore considered to be in accordance with the development Plan and the NPPF in respect of trees and arboriculture matters and the amended submission is therefore acceptable in this respect.

Affordable Housing and Housing Mix

9.115. In 2016 the Oxfordshire Growth Board confirmed that Oxford was unable to meet its proportion of housing due to the city's severe constraints and therefore it was agreed that an apportionment of homes would be provided within each of the surrounding districts to help meet that need. The assumed capacity for Oxford was 10,000 dwellings, of which 4,400 were to be met within Cherwell District which are to be delivered through the Partial Review sites.

9.116. The proposed development seeks consent for up to 800 residential units. Policy PR6a requires that 50% of dwellings provided on the site to be affordable housing as defined by the NPPF and Policy PR2 sets out the housing mix, tenure and size of dwellings to help meet Oxford's housing needs and requires that the affordable housing mix is agreed with Cherwell District Council in consultation with Oxford City Council who have up-to-date housing needs data and knowledge of what mix will best meet identified needs of applicants with a connection to the city.

9.117. The planning statement accompanying the application sets out a proposed mix for both the market dwellings and the affordable units. Whilst the affordable mix suggested broadly follows those set out in Policy PR2, we need to ensure that the detailed affordable housing mix which will ultimately be delivered adequately meets identified needs. The percentages in the policy are a guide and it is therefore necessary to use up-to-date needs data to inform the final agreed mix to reflect priorities and ensure that the most pressing needs are met.

9.118. Whilst it is recognised that housing needs change over time and that current data may not reflect future need, in most cases, particularly where there are long waiting times due to a shortfall in provision, current need can be used as a reliable indicator for medium or long-term needs.

9.119. Recent data and knowledge indicates that currently there is a definite need for 4-bed or larger homes, there is currently a greater level of need for 3-bed provision than 2-bed and there is a greater need for social rent rather than affordable rent to meet the identified need for households on Oxford City's housing register and the starting position therefore should be that all rented dwellings are delivered as social rent. The housing mix will therefore need to be amended to include a larger percentage of 4-bed dwellings, and if possible, some 5+ dwellings.

- 9.120. In line with current Government policy, 25% of the affordable housing is required as First Homes, which were introduced after the Local Plan Review was adopted. The tenure split for the affordable housing will therefore be slightly different from that set out in Policy PR2 with 70% social rent, 25% First Homes and 5% shared ownership. An Oxford City connection will apply to all First Homes for the first three months of marketing.
- 9.121. In terms of standards, Oxford City's policy is for all rented dwellings to be M4(2) compliant and 5% to be M4(3) 2b compliant. Therefore, it is expected that this will apply to the affordable provision on this development. All rented dwellings will also be expected to meet Nationally Described Space Standards (NDSS).
- 9.122. As set out in the Developer Contributions SPD, the affordable housing should be clustered in groups of no more than 10 dwellings of single tenure or 15 dwellings of mixed tenure. This however can be agreed on a site-by-site basis as larger clusters work better on some sites, so the detailed layouts will need to be agreed by both CDC and Oxford city in this respect.
- 9.123. Having regard to the above, the application is supported in principle subject to clarity on the above points, including the provision of First Homes and a revised housing mix/tenure split, but this can be agreed through the section 106 and an affordable housing scheme. There will also need to be consideration of the provision of bungalows, accessible homes and opportunities to provide specialist housing, self-build or self-finishing housing as required by Policy PR2.

Highways, Access and Transport

- 9.124. NPPF paragraph 113 states that all developments that will generate significant amounts of movement should be supported by a Transport Statement or Transport Assessment so that the likely impacts of the proposal can be assessed. The Transport Decarbonisation Plan and DfT Circular 01/2022 also set out that we need to move away from transport planning based on predicting future demand to provide capacity ('predict and provide') to planning that sets an outcome communities want to achieve and provides the transport solutions to deliver those outcomes (sometimes referred to as 'vision and validate').
- 9.125. The National Design Guide states:
- 75. Patterns of movement for people are integral to well-designed places. They include walking and cycling, access to facilities, employment and servicing, parking and the convenience of public transport. They contribute to making high-quality places for people to enjoy. They also form a crucial component of urban character. Their success is measured by how they contribute to the quality and character of the place, not only how well they function.*
- 76. Successful development depends upon a movement network that makes connections to destinations, places and communities, both within the site and beyond its boundaries.*
- 9.126. NPPF paragraph 105 also prescribes that significant development should be focussed on locations which are or can be made sustainable, through limiting the need to travel and offering genuine choice of transport modes.
- 9.127. Policy PR4a of the Partial Review, policies ESD13, ESD15 and SLE4 of the CLP 2015 and saved Policy C30 of the Cherwell Local Plan 1996 echo the principle of active travel.

- 9.128. Policy SLE4 of the CLP 2015 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. It further advises that encouragement will be given to solutions which support reductions in greenhouse gas emissions and reduce congestion. Development which is not suitable for the roads that serve the development, and which have severe traffic impact will not be supported.
- 9.129. Saved Policy TR1 of the CLP 1996 states that before proposals for development are permitted, the council will require to be satisfied that new highway, highway improvement works, traffic management measures that would be required as a consequence, allowing the development to proceed, should be provided.
- 9.130. Policy PR6a requires the application to be supported by a Transport Assessment and Travel Plan, including measures for maximising sustainable transport connectivity, minimising the impact of motor vehicles on new residents and existing communities, and actions for updating the Travel Plan during the construction of the development. The application is supported by a Transport Assessment and since the adoption of the Partial Review Local Plan the developers of the PR sites and their Transport Consultants have been working with OCC to ensure that the impact and mitigation of the PR sites are delivered in a consistent and co-ordinated manner. That work is now complete.
- 9.131. The site is well served by public transport as it is located adjacent to Oxford Parkway station as well as buses between Oxford City Centre and locations such as Kidlington or Bicester, many of which stop at the Oxford Parkway Park and Ride or on Oxford Road.
- 9.132. The existing pedestrian and cycle infrastructure in the area however is of poor quality and requires improvement in order for the development in the area to come forward. The existing shared use path either side of Oxford Road is well below LTN1/20 standard and does not fit the Oxfordshire County Council's hierarchy of prioritising cyclists and pedestrians and there are currently few crossing places. There is particular concern around the safety of Oxford Parkway junction due to a recent fatality.
- 9.133. North of Oxford Parkway is Kidlington roundabout, a new scheme has recently been approved here which will improve permeability across the roundabout for pedestrians and cyclists' whilst retaining capacity for vehicles. Moving south from the site is the Cutteslowe area of Oxford which becomes more built up with a higher number of side road entries which can hold up pedestrians and cyclists. In terms of highway capacity, Cutteslowe Roundabout is already close to capacity and is an important part of the strategic network.
- 9.134. The need for a package of transport improvements in the area was addressed through the Cherwell Local Plan Partial Review and the District's Infrastructure Delivery Plan, largely to be funded by developers of the sites allocated in the Partial Review. In addition to the package of transport improvements to infrastructure which have been included in the applicant's transport model and trip rate, there are other specific improvements needed in respect of this site.
- 9.135. Cutteslowe Roundabout is a significant barrier to development north of Oxford which needs to be addressed. There is currently only a staggered toucan crossing the western side of the roundabout to allow pedestrians and cyclists to travel north/south with an island which is already insufficient for the current number of users. With the expected number of pedestrians/cyclists using this at peak times it could cause severe delays and potential safety concerns, as such a scheme is required to improve the

roundabout for active travel users whilst recognising there will need to be limited delays to public transport. An objection to the application was raised by OCC Transport until this had been resolved.

- 9.136. In addition to the 'Cycle Superhighway' it is deemed necessary that a quieter route be provided to cater for less confident cyclists. A route has been designed by the applicant in conjunction with the city and county councils through Cutteslowe Park which has been costed by Oxford Direct Services. This allows a safer route along the western edge of the park so not to conflict with pedestrians and connects to the A40 overbridge creating good access to Cutteslowe Primary School, Community Centre and NCN51 which is a quieter route into Summertown and beyond. This is considered an important element of creating a sustainable site and is therefore deemed essential infrastructure which the applicant must partly fund alongside the PR6b development when that comes forward.
- 9.137. The proposed access to the site has been designed in accordance with the approved 30mph limit on Oxford Road and has taken into account the planned 'Cycle Superhighway' along the corridor, providing 2.5m segregated cycle lanes and 2m footways and along the site frontage this will also include a 3m buffer between the carriageway and the cycle lane which could be used for tree planting.
- 9.138. The primary vehicular access is to the south of the site frontage on Oxford Road and is in the form of a CYCLOPS junction. This essentially creates an 'all-red' phase for vehicles and allows pedestrians and cyclists to circulate around the perimeter of the junction in a clockwise direction in a single movement. There are currently no examples of this in Oxfordshire, but it is considered safer for active travel users and fits well with the 'Super Highway' scheme. Until PR6b and the 'Cycle Superhighway' come forward, the applicant will construct the junction as a 3-arm junction and leave the western side as existing which is considered acceptable in the short term. It has also been confirmed that space will be reserved within the CYCLOPS junction for a right-turn lane (southbound) into PR6b for when it comes forward which is welcomed. Some changes may be required to the junction in its temporary form until PR6b comes forward such as signals added on the existing path on the west side of Oxford Road for pedestrians and cyclists to be agreed through the S278 process.
- 9.139. The junction will include 2.5m cycle lanes and 2m footways to integrate with the existing corridor scheme and will include pedestrian refuges on each corner to allow for safe waiting areas. The junction will incorporate the southbound bus lane which will also act as a left-turn lane into the site. There will be an additional southbound general traffic lane, 2 northbound lanes and a right turn lane into the site from the south, these will all be 3.25m wide which is accepted. These will need to merge either side of the junction.
- 9.140. The northern access takes the form of a left-in/left-out priority junction with a full set of back/raised table and pedestrian/cycle priority in line with LTN 1/20 and the updated highway code. This fits with the 'Cycle Superhighway' scheme and Oxfordshire County Council's user hierarchy and is acceptable.
- 9.141. As a consequence of providing the highway improvements, new CYCLOPS junction, northern access and 'Cycle Superhighway' the whole of the existing planting, trees and undergrowth along the Oxford Road frontage will be removed. This will have a significant visual impact and completely change the existing character along this stretch of road into Oxford. The proposals however as already discussed above will be mitigated by the provision of a new landscape buffer along this frontage which is indicated on the landscape parameter plan and result in significant improvements for users of the corridor, specifically for those using sustainable means of travel. The full details will be submitted at reserved matters.

- 9.142. In addition to those mentioned above, there are three additional pedestrian/cycle accesses from Oxford Road. These are approximately located at the north of the site, in line with the existing public right of way and to the south of the site. There are also pedestrian access points from Cutteslowe Park to the southeast and from St Frideswide Farm housing site which currently falls within Oxford City's boundary, although this will require a folding bollard to ensure vehicle movements do not occur. These are all 3m shared accesses and are accepted.
- 9.143. During pre-application discussions the question was raised multiple times regarding accesses onto the Park and Ride access road and this point remained unresolved when the application was submitted. It is considered that a pedestrian/cycle access from the site is provided as this will be a desire line for residents of the new development as well as those from North Oxford.
- 9.144. The applicant has now confirmed there will be a pedestrian/cycle access from the site onto the Park and Ride access road, there will be an obligation within the Section 106 agreement to ensure this comes forward.
- 9.145. There was considerable discussion during pre-application regarding the spine road and access to the school which is proposed to be located within the centre of the site adjacent to the main spine road. Concern was expressed about parent parking causing congestion and a danger to child safety. As a consequence, a school street is proposed which means that the section of spine road in front of the school will be closed to vehicular traffic during school drop off times in the morning and then at school pick-up times in the afternoon. An alternative vehicular link will be provided through the adjacent housing parcel for those needing to access the area during closure.
- 9.146. To gain a better understanding of the traffic impact of this development and the other PR sites, the county council requested that all of the PR sites used the existing North Oxford VISSIM model which has 2018 and 2023 baseline years and collaborated to create a 2031 future year scenario including expected traffic impact from all the sites and other committed development. At the time of the application submission this was still awaited so the full impact of the development on the highway network could not be fully assessed and therefore an objection was raised on highway grounds.
- 9.147. The North Oxford VISSIM Model has now been agreed by Oxfordshire County Council and National Highways (in relation to the Strategic Road Network). The 2031 future year scenario has been developed by all the Partial Review sites and has been agreed as an acceptable method of assessing the impact of the sites, both individually and collectively.
- 9.148. The modelling shows localised impacts on the local highway network; however, these are mitigated by the active travel infrastructure coming forward as the modelling shows. In order to achieve the modal shift required to achieve the medium and high 'Do Something' scenarios it is clear that the infrastructure requirements listed below are necessary to make the development acceptable and without it there would be an unacceptable impact on the highway network.
- 9.149. The biggest impact demonstrated is to Cutteslowe Roundabout in the AM peak with significant increases in queue length on both the A4165 north and south arms in the low scenario which would be considered an unacceptable impact. However, the medium and high scenarios show negligible impact which further show the need to make active travel improvements, in particular to Cutteslowe Roundabout to which contributions are now being sought towards.

- 9.150. OCC had requested that the development be served by significantly lower car parking levels than would ordinarily be required on a new development having regard to its proximity to public transport and active travel proposals. The applicant has since provided some information regarding car parking and why car-free parking cannot be provided in this location. Whilst OCC would like to see some car-free element of the site, it is understood that under current standards this is not mandatory. However, as this is an outline application with all matters reserved except access, car parking will be determined at reserved matters stage and the adopted standards at that time will be used.
- 9.151. A Controlled Parking Zone (CPZ) will be required for the site and will be dealt with by legal obligation requiring a private scheme to come forward which mimics the County Council's scheme in terms of numbers of permits, bays, signs etc and once internal roads are adopted then this can be carried over to be operated by the county council as a standard CPZ. This will also apply to the school street.
- 9.152. A number of objections have been received (including local councillors) regarding the Kidlington Roundabout and proposed changes to bus lanes. It should be noted that the removal of the bus lane is not part of this application. The drawings provided by the developer are illustrative and show what could be done along Oxford Road when OCC deliver the Kidlington Roundabout and cycle superhighway scheme. The developer for PR6a will be delivering their site frontage only and the actual Cycle Superhighway corridor scheme (including the removal of the bus lane if that proceeds) will be designed and delivered by OCC. If the bus lane does need to be removed for the cycle Superhighway, there would be a bus gate meaning that buses have priority over that short section crossing the bridge, not cars. This would allow buses to bypass the cars and cross the bridge so not to have an impact on journey times.
- 9.153. Having regard to the above, subject to appropriate Section 106 and conditions, the proposals have been appropriately assessed in terms of highway impacts of the development highway and pedestrian/cycle safety and in accordance with the Development Plan and the NPPF. The proposals are therefore acceptable in this respect.

Flood Risk and Drainage

- 9.154. Section 14 of the NPPF considers the issue of meeting the challenge of climate change, flooding and coastal change. Paragraph 167 states that when determining any applications, local planning authorities should ensure that '*flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific assessment*'.
- 9.155. Policy ESD6 of the CLP 2015 essentially replicates national policy contained within the NPPF in this respect when assessing and managing flood risk and resists development where it would increase the risk of flooding and seeks to guide vulnerable development (such as residential) towards areas at lower risk of flooding. The application proposal has been assessed by the Environment Agency who have raised no objections to the proposed development.
- 9.156. Policy ESD7 of the CLP 2015 relates to sustainable drainage systems and advises that all development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off. Where site specific Flood Risk Assessments are required in association with the development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems. In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution

and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as Lead Local Flood Authority. Proposals must also include an agreement on future management, maintenance and replacement of SuDS features.

- 9.157. The drainage strategy and surface water management solutions must be considered from the outset of the development planning process and throughout – influencing site layout and design and should not be limited by the proposed site layout and design. Wherever possible runoff must be managed at source with residual flows then conveyed downstream to further storage or treatment components where required.
- 9.158. The application is accompanied by a Flood Risk Assessment which outlines the existing situation with regards to flood risk and drainage and outlines proposals for flood risk protection and resilience and surface water drainage. A network of drainage ditches is located along field boundaries which eventually discharge into the River Cherwell which is designated as a main river by the Environment Agency to the east of the site. A pond is also located at St Frideswide Farm adjacent to the eastern boundary which is connected to the surrounding drainage ditches.
- 9.159. The Environment Agency Flood Map for Planning indicates that the entire site is located within Flood Zone 1, land at the lowest risk of flooding. A small area adjacent to the south-eastern boundary which is in agricultural use lies in Flood Zones 2 and 3 but this lies outside the developable area.
- 9.160. The risk of ground water flooding is considered to be low for the majority of the site and low to medium at the lower ends of the site where historical events have been reported as well as in areas where monitoring has identified ground water closer to the surface. Open green space is proposed to be located at the lower (eastern) ends of the site and as such ground water flooding is not expected to pose an unacceptable risk to development.
- 9.161. It is intended that positive drainage systems will be used to ensure that the remainder of the development site is at reduced risk of groundwater flooding.
- 9.162. The proposed drainage strategy will utilise sustainable drainage techniques through detention basins and ponds/wetlands as the primary form of storage on the site. These will be located at the lower end of each of the catchments and attenuate and treat run-off prior to discharge to the ditch network. It is also proposed that at-source techniques such as rainwater harvesting, green roofs, bioretention systems, pervious pavements and tree pits will be incorporated throughout the development. Swales, filter strips or filter drains will also be considered in place of conventional pipe networks where possible.
- 9.163. The Flood Risk Assessment and proposed drainage strategy have been assessed by the Environment Agency and OCC as LLFA who raise no objections. The comments of residents of St Frideswide Farmhouse regarding potential increased flooding of that property as a consequence of the development are noted but the assessment submitted considers that this will not be an issue and in the absence of objections from drainage expertise, the proposals are considered to be acceptable and in accordance with Policy ESD6 and ESD7 of the CLP 2015 and Government Guidance within the National Planning Policy Framework in this respect.

Climate Change and Sustainability

- 9.164. Policy PR1 of the Cherwell Local Plan Review – Oxford Unmet Need – Achieving Sustainable Development requires the development to comply with other material Development Plan policies and demonstrate that sustainable development will be

achieved. Policies ESD1 -5 of the adopted Cherwell Local Plan are therefore relevant and must be appropriately considered and addressed accordingly. Consideration of these policies is becoming more pertinent having regard to climate change, government law, policy and targets, guidance within the NPPF and Cherwell District Council's Climate Change Emergency Declaration.

9.165. Section 14 of the NPPF covers the issue of meeting the challenge of climate change. Policies ESD 1-5 of the CLP 2015 also address this. Policy ESD1 considers the issue of Mitigating and Adapting to climate change. Policy ESD2 considers Energy Hierarchy and allowable Solutions and seeks to achieve carbon emissions reductions. Policy ESD3 considers sustainable construction and as Cherwell is in an area of water stress requires all new development to achieve a limit of 110 litres/person/day. Policy ESD4 considers the use of decentralised energy systems and requires a feasibility assessment to be submitted. Policy ESD5 considers the use of renewable energy and requires the submission of a feasibility assessment of the potential for significant on-site renewable energy provision, above that required to meet national building standards.

9.166. The proposals have been designed around sustainable modes of transport and pedestrian/cycle connectivity, reducing the need to travel by car. It proposes new bus stops on Oxford Road and provides vehicular access to the site that prioritises safe crossing movements for pedestrians and cyclists. These are welcomed, however the submission lacks detail and commitment regarding the proposed mobility hubs which are proposed around the local centre and how these will be provided/managed/maintained etc. The applicant advises that this will be considered in more detail at reserved matter stage.

9.167. The application is accompanied by a sustainability and energy statement. The demonstration of climate change mitigation and adaption measures are also key design and place shaping principles which should also be addressed through a Design and Access Statement as it is vital that this is considered at the initial design stage and not an afterthought once consent is granted for the detailed development of the site which happens so often. Sustainability, low carbon and renewable energy were highlighted by the applicant during public consultation and design review during the pre-application submission as an important issue at the heart of the new development.

9.168. The submitted sustainability and energy statement sets out the sustainability strategy for the proposed development through seven design principles, these being, connectivity, identity, community, ecology, energy, carbon and health and well-being. The statement advises as follows:

9.169. In terms of connectivity, a people-first approach will be used to ensure residents are as close as possible to key services and facilities and public transport and encourage walking or cycling. To this end new bus stops will be provided on Oxford Road, vehicular access into the development will prioritise safe crossing movements for pedestrians and cyclists, EV charging and an on-site mobility hub to promote car sharing/use of e-bikes and e-scooters etc.

9.170. In terms of identity, the applicant advises that the detailed reserved matters proposals will seek to define a sense of identity and respect for the environment through the provision of good design, landscaping, internal spaces, play spaces and long-term stewardship.

9.171. In terms of community the site has been designed through the masterplan as a safe and inclusive space that will provide opportunities to live, work and socialise, including

communal growing areas, allotments, green infrastructure and a community building within the local centre.

- 9.172. In terms of ecology, a network of multi-functional green spaces and habitats will be created, and homes and green spaces will be connected ensuring residents can easily access green spaces throughout the development with the aim of achieving Building with Nature accreditation, delivering biodiversity net gain and replacement of lost habitats.
- 9.173. In terms of energy, Water Eaton will follow the energy hierarchy and the proposal is to meet the full Future Homes Standard from day one with an EPC rating of level B as a minimum. This exact specification will be developed during detailed design, but will involve high fabric standards, all-electric heat pumps and solar generation. Water efficient fixtures and fittings will be installed to meet the 110l/p/d target within the Cherwell Local Plan. Renewable energy options considered for the development are solar power and air source heat pumps.
- 9.174. In terms of carbon, the strategy aims to create a pathway to net zero carbon which will be achieved through careful design, local procurement, sustainable construction practices and an emphasis on active travel and electrification.
- 9.175. Having regard to the above, it is proposed that the new development will be constructed in accordance with the 2025 Future Homes Standard and will include matters such as solar panels, fabric first construction methods, be gas free, utilise electric heat pumps and install electric vehicle charging points.
- 9.176. It is proposed that the precise details will be established at detailed design stage and through the reserved matters and it is therefore recommended that a condition be included requiring the submission of a more detailed energy/innovation strategy for the site. Overall, provided that a commitment is made through the detailed submissions to the above, it is considered that the proposals are generally in accordance with Section 14 of the NPPF, Policy PR6a of the Local Plan Review 2020 and Policies ESD 1-5 of the CLP 2015 together with the aims and objectives of mitigating the impact of the development on climate change and are therefore acceptable in this respect.

Health and Well-Being

- 9.177. Health and Well-Being is high on both the Government's and council's agenda, particularly in the light of the recent pandemic and the impact it has had on the population, emphasising the need for access to good quality public open space as well as the benefit of private outdoor space.
- 9.178. A full Health Impact Assessment (HIA) was submitted with the application and has been assessed by OCC's Public Health Team. It is important that these are submitted with large developments to enable ample opportunity to influence healthy place shaping aspects of the development. The HIA is thorough and addresses the criteria set out in the HIA toolkit guidance. It assesses how the proposed development may impact on health and well-being and in most areas identifies that the development will either have no negative impact or a positive impact.
- 9.179. On reviewing the illustrative masterplan, the extension to Cutteslowe Park is welcomed together with the associated pedestrian and cycle connection situated close to the cricket pavilion, providing an important active travel link from existing settlements in North Oxford to the new development. The use of green spaces throughout the site will support easy access to nature and has the potential to provide

urban cooling. The provision of community growing spaces will provide easy access for all residential areas.

9.180. Chapter 6 of the Environmental Statement focusses on air quality and duly notes that the application site borders Oxford City which is designated in its entirety as an Air Quality Management Area. It is further noted that a substantial quantity of housing is to be located in relatively close proximity to the busy Oxford Road with the potential to expose residents to both air and noise pollution and therefore requests further information regarding actual proximity and any mitigation necessary to reduce the risk of harm to health and well-being. The noise and air quality assessments have been assessed by Environmental Health who are satisfied with the contents and findings and mitigation proposed.

9.181. Having regard to the above, the health Impact assessment as submitted is considered to accord with OCC guidance and it appropriately addresses the health impacts of the development.

Planning Obligation

9.182. To ensure that the development is acceptable in planning terms, several harmful impacts of the development would need to be mitigated and/or controlled through covenants in a legal agreement. All Section 106 requirements are subject to statutory tests and to be taken into account in deciding to grant planning permission, they need to be necessary to make the development acceptable in planning terms; directly related to the development; and fairly and reasonably related in scale and kind.

9.183. Policy INF1 of the CLP 2015 considers the infrastructure provision required to meet the district's growth, to support the strategic site allocations and to ensure delivery of infrastructure requirements relating to matters such as transport, education, health, community facilities, sports etc accordingly.

9.184. Policies PR2 and PR6a of the CLP Partial Review requires the provision of 50% affordable housing on all the allocated Partial Review sites to meet Oxford's unmet housing need. The policy continues by stating that the proposals will need to have regard to Oxford's Housing Needs and Assessment and the definitions contained therein to achieve an appropriate mix to meet that need. This will be considered through the section 106.

9.185. The Council also has an adopted Developer Contributions SPD 2018 to guide the section 106 requests and is a material consideration.

9.186. Officers have had regard to the requirements of relevant development plan policies and considered the planning obligation or legal agreement requirements against the above provisions. Having done so, officers are of the view that a significant number of items need to be secured through a planning obligation before development can be considered acceptable and, in turn, planning permission granted. These items are as follows:

9.187. CDC Obligations:

- 50% affordable housing to NDSS and CDC/OCC requirements and standards.
- Cutteslowe Park extension
- Eastern green infrastructure buffer
- Provision and maintenance of play areas

- SUDS management and maintenance
- Management and maintenance of public open space
- Provision of allotments/community gardens/orchards including management and maintenance
- Community hall facilities on site as required by Policy PR6a
- Local Centre on site as required by Policy PR6a
- Community Development Worker Funding of either £69,853.40 or bespoke stewardship arrangement
- Community development fund of £36,000 or bespoke stewardship arrangement
- Off-site Outdoor sports provision contribution of £1,613,624
- Off-site Indoor sports provision contribution of £667,957.44
- Biodiversity Net Gain and Farmland Birds Mitigation
- Waste and Recycling bins for each residential unit
- Land and provision of a recycling bank
- Monitoring Fee TBC

9.188. OCC Obligations:

- Transfer of 2.22ha of land for primary school
- Primary school contribution of £7,746,000
- Secondary school contribution of £5,411,504
- Secondary school land acquisition costs of £448,853
- SEND contribution of £538,446
- Kidlington library contribution of £78,386
- Waste and recycling contribution of £75,168.
- Archaeology storage contribution of £7,169
- Mobility hub contribution of £2,238,631
- Oxford Road cycle superhighway contribution of £845,337
- Cutteslowe Roundabout improvements contribution of £705,264
- Transport Infrastructure A4260 bus lane contribution of £1,585,564.
- Signalised junctions along A4260/A4165 contribution of £254,750

- Active travel infrastructure – Cutteslowe Park cycle route contribution of £216,028
- Bus service improvements contribution of £861,055
- RTI displays at existing Jordan Hill Bus Stops contribution of £41,211.
- Public Rights of way Improvements £310,000 (still under discussion)
- Framework Travel Plan Monitoring of £1,890
- Residential Travel Plan Monitoring £3,110
- Admin and Monitoring Fee of £35,933

9.189. Other Obligations:

- BOB ICB contribution of £691,200
- Thames Valley Police contribution of £132,157

10. PLANNING BALANCE AND CONCLUSION

- 10.1. Section 38 (6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications be determined against the provisions of the development plan unless material considerations indicate otherwise. The NPPF supports this position and adds that proposals that accord with an up-to-date development plan should be approved and those which do not should normally be refused unless outweighed by other material considerations.
- 10.2. The proposals will contribute towards the Council's five-year housing land supply relating to the delivery of the Partial Review sites and provide the much-needed housing to meet Oxford's unmet housing need. It would create jobs during the construction of the site and in the local centre and within the school once operational. The population would also support the local economy either in Kidlington or Oxford. The development proposals will also provide new active travel routes into Oxford and Kidlington, provide new pedestrian/cycle routes through the development and the existing communities beyond, green infrastructure, recreation space, community gardens and allotments for the benefit of the local and community.
- 10.3. As a consequence of the re-positioning of the school centrally within the site and the constraints relating to this site in terms of the position of the barrows and the necessary buffer to the barrows and the eastern green infrastructure corridor, the school site has unfortunately encroached into the green buffer. However, on balance, having regard to the preference to locate the school adjacent to the local centre and in a position that is also easily accessible to residents on PR6b, it is considered that on balance the narrow encroachment proposed into this green buffer is not significant and will not unduly impact on its function as a green infrastructure corridor and new soft permanent boundary to the revised Green Belt boundary and to protect the setting of St Frideswide Farm. On balance therefore this minor encroachment is considered acceptable.
- 10.4. As discussed above, the impact of the proposed development on the setting of St Frideswide farmhouse a Grade II* listed building which is a designated heritage asset has been given very careful consideration. As advised, as the development does not include works to the building itself, the proposal must be considered in terms of having less than substantial harm which should then be weighed against the public benefits

of a scheme. This is an allocated site for development in the Cherwell Partial Review Local Plan 2020 and the benefits of the development which will deliver new housing and affordable housing to meet Oxford's unmet housing need outweighs the significance of the impact and is therefore considered acceptable in this respect.

- 10.5. This is an allocated site, and the Council cannot currently demonstrate a five-year supply of housing for the Partial Review Local Plan 2020 and Oxford's Unmet Housing Need. The proposal includes a significant level of new on-site facilities such as a local centre and community building and new primary school in accordance with the aims and objectives of Policy PR6a and the other PR policies within the Partial Review Local Plan and approved Design Brief.
- 10.6. The proposals have been carefully considered against the Development Plan and National planning Policy Framework as a whole and the positive benefits significantly and demonstrably outweigh the negative aspects of the proposals.

11. RECOMMENDATION

DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION, SUBJECT TO:

- **THE CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY),**
- **THE REVISED COMMENTS OF NATURAL ENGLAND WHICH ARE STILL AWAITED AND**
- **THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE FOLLOWING(See Appendix 1) (AND ANY AMENDMENTS AS DEEMED NECESSARY):**

CONDITIONS

Time Limit

1. Application for approval of all the reserved matters shall be made to the Local Planning Authority before the expiration of six years from the date of this permission and the development hereby permitted shall be begun either before the expiration of five years from the date of this permission or before the expiration of two years from the date of approval of the last of the reserved matters to be approved, whichever is the later.

Reason - To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004 and Article 5(1) of the Town and Country Planning (Development Management Procedure (England) Order 2015 (as amended).

2. Details of the layout, scale, appearance, access (other than the approved accesses to Oxford Road as shown on Plan and landscaping (hereafter referred to as the reserved matters) shall be submitted to and approved in writing by the Local Planning Authority before any development takes place and the development shall be carried out as approved.

Reason: To comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory

Purchase Act 2004, and Article 6 of the Town and Country Planning (Development Management Procedure (England) Order 2015 (as amended).

Compliance with Plans

3. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents: (To be inserted)

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.

4. Unless justified through the reserved matters submissions, all reserved matters submissions shall accord with the following submitted parameter plans: Land use and Access parameter Plan; Building Heights Parameter Plan; Green Infrastructure parameter Plan.

Reason: To ensure that the development is delivered in accordance with the principles of the outline planning application, approved Development Brief and Policies PR1, PR2, PR3, PR5, PR6a, PR11 and PR12a of the Cherwell Local Plan Review 2020 and Government guidance within the National Planning Policy Framework.

5. Prior to the commencement of any development on the site, a phasing plan for the development of the whole site shall be submitted to and agreed in writing by the Local Planning Authority. The phasing Plan shall include full details of the development parcels, including affordable housing, open space, green infrastructure, delivery of the local centre, community building and school, roads, cycle/footpath connections, Cutteslowe Park extension, eastern green infrastructure buffer, new buffer to Oxford Road frontage, play facilities and allotments. Thereafter the development shall be carried out in accordance with the approved phasing plan and each reserved matters application shall only be submitted in accordance with the terms of the phase (or phases) it relates to as set out in the approved phasing plan.

Reason: To ensure the proper and phased implementation of the development and associated infrastructure to the benefit of future residents in accordance with Policies PR1, PR2, PR3, PR5, PR6a, PR11 and PR12a of the Cherwell Local Plan Review 2020, Policies SLE4, BSC7, BSC8, BSC10, BSC11, BSC12, ESD13, ESD15 and ESD17 of the Cherwell Local Plan 2011-2031 and Government guidance within the National Planning Policy Framework.

6. Prior to the implementation details of a pedestrian/cycle access from the Oxford Parkway access road into the site measuring a minimum of 3.5m must be submitted to and approved in writing by the Local Planning Authority. The pedestrian/cycle access must thereafter be constructed in accordance with the approved plans.

Reason: To promote sustainable modes of transport and accord with Government guidance within the NPPF.

7. Prior to occupation a School Travel Plan, Residential Travel Plan and Travel Plan Statements for the local centre and community centre shall be submitted to the Local Planning Authority.

Reason: To promote sustainable modes of transport and comply with Government guidance within the NPPF.

8. Prior to first occupation a Framework Travel Plan shall be submitted to and approved by the Local Planning Authority.

Reason: To promote sustainable modes of transport and accord with Government guidance within the NPPF.

9. Prior to the occupation of the development hereby permitted, evidence shall be submitted to the Local Planning Authority and approved in writing that a School Travel Plan has been prepared using Modeshift STARS which meets Green Level accreditation. The approved School Travel plan shall be implemented within one month of the approval being given. The approved Travel Plan shall achieve Modeshift STARS Bronze level accreditation within 12 months of occupation and this shall be maintained for a minimum of five years from the date of approval. Evidence shall be provided to the Local Planning Authority of the accreditation level of the school Travel Plan within one week of such request.

Reason: To promote sustainable modes of transport and comply with Government guidance within the NPPF.

10. Construction Traffic Management Plan – wording as set out in OCC consultation response.

11. A Monitoring and Evaluation Plan (MEP) shall be submitted and approved in writing by the Local Planning Authority prior to first occupation. This should set out how trips from the site will be monitored and the response to how mode share targets are being met.

Reason: To promote sustainable modes of transport and comply with Government guidance within the NPPF.

12. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the highway, including position, layout, construction, drainage and vision splays shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the means of access shall be constructed and retained in accordance with the approved details.

Reason: In the interests of highway safety and to comply with Government guidance within the NPPF.

13. The approved drainage system shall be implemented in accordance with the approved Detailed Design as set out in ES Appendix 08.1 Flood Risk Assessment (Issue P01) Part 1 ref 028-8210440-BW-Flood Risk assessment Issue P01: 28 April 2023; ES Appendix 08.1 Flood Risk Assessment (Issue P01) Part 2, ST Site Investigation Report Appendix E; ES Appendix 08.1 Flood Risk Assessment (Issue P01) Part 3 Greenfield Runoff calculation rates, prior to the first occupation of the development.

Reason To ensure the principles of sustainable drainage are incorporated into the proposal in accordance with Policies ESD6 and ESD7 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

14. Construction shall not begin until/prior to the approval of reserved matters; a detailed surface water drainage scheme for the site has been submitted to and approved in writing by the Local Planning Authority. The scheme shall

subsequently be implemented in accordance with the approved details before the development is completed. The scheme shall include:

- A compliance report to demonstrate how the scheme complies with the 'Local standards and Guidance for Surface water Drainage on Major Development in Oxfordshire'
- Full drainage calculations for all events up to and including the 1 in 100 year plus 40% climate change
- A Flood Exceedance Compliance Plan
- Comprehensive infiltration testing across the site to BRE DG 365 (if applicable)
- Detailed design drainage layout drawings of the SuDS proposals including cross-section details
- Detailed maintenance and management plan in accordance with Section 32 of CIRA C753 including maintenance schedules for each drainage element
- Details of how water quality will be managed during construction and post development in perpetuity
- Confirmation of any outfall details
- Consent for any connections into third party drainage systems

Reason: To ensure the principles of sustainable development are incorporated into the proposal in accordance with Policies ESD6 and ESD7 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

15. Prior to first occupation, a record of the installed SuDS and site wide drainage scheme shall be submitted to and approved in writing by the Local Planning Authority for deposit with the Lead Local Flood Authority Asset Register. The details shall include:

- As built plans in both pdf and shp format
- Photographs to document each key stage of the drainage system when installed on site
- Photographs to document the completed installation of the drainage structures on site
- Name and contact details of any appointed management company information

Reason: To ensure the principles of sustainable drainage are incorporated into the proposal in accordance with Policies ESD6 and ESD7 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

16. Prior to any demolition and the commencement of the development a professional archaeological organisation acceptable to the Local Planning Authority shall prepare an Archaeological Written Scheme of Investigation relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason: To safeguard the recording of archaeological matters within the site in accordance with Government guidance within the NPPF.

17. Following the approval of the Written Scheme of Investigation referred to in condition 16, and prior to any demolition on the site and commencement of the development (other than in accordance with the agreed written Scheme of Investigation), a programme of archaeological mitigation shall be carried out by the commissioned archaeological organisation in accordance with the approved Written Scheme of Investigation. The programme of work shall include all processing, research and analysis necessary to produce an accessible and

useable archive and a full report for publication which shall be submitted to the Local Planning Authority within two years of the completion of the archaeological fieldwork.

Reason: To safeguard the identification, recording, analysis and archiving of heritage assets before they are lost and to advance understanding of the heritage assets in their wider context through publication and dissemination of the evidence in accordance with Government guidance within the NPPF.

18. All reserved matters applications shall include details to ensure appropriate delivery of improvement and enhancements to the public realm in terms of quality of materials, public space and landscaping proposals. The development shall be carried out in accordance with these approved details.

Reason: In the interests of the visual amenities of the proposed development in accordance with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

19. Any contamination that is found during the course of the approved development that was not previously identified shall be reported immediately to the Local Planning Authority. Development on the part of the site affected shall be suspended and a risk assessment carried out and submitted to and approved in writing by the local planning authority. Where unacceptable risks are found remediation and verification schemes shall be submitted to and approved in writing by the local planning authority. These approved schemes shall be carried out before the development (or relevant phase of development) is resumed or continued.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance within the NPPF.

20. The development shall not be occupied until all foul water network upgrades required to accommodate the additional flows from the development have been completed, or a development and infrastructure phasing plan has been agreed with the local planning authority in consultation with Thames Water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed, no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Network reinforcement works are likely to be required to accommodate the proposed development. Any reinforcement works identified will be necessary in order to avoid sewage flooding and/or potential pollution incidents.

21. No development shall be occupied until confirmation has been provided that either; all water network upgrades required to accommodate the additional demand to serve the development have been completed or a development and infrastructure phasing plan has been agreed with Thames water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: The development may lead to no/low water pressure and network reinforcement works anticipated to be necessary to ensure that sufficient capacity is made available to accommodate additional demand anticipated from

this development.

22. No development shall be occupied until confirmation has been provided that either all sewage works upgrades required to accommodate the additional flows from the development have been completed or a development and infrastructure phasing plan has been agreed with the local planning authority in consultation with Thames water to allow development to be occupied. Where a development and infrastructure phasing plan is agreed no occupation shall take place other than in accordance with the agreed development and infrastructure phasing plan.

Reason: Sewage treatment upgrades are likely to be required to accommodate the proposed development. Any upgrade works identified will be necessary to avoid sewage flooding and/or pollution incidents.

23. Each reserved matter relating to built development shall include existing and proposed land levels and finished floor levels, including cross sections across the site and adjacent land and illustrative street scenes to indicate changes in levels across the site and how the proposed development addresses these changes. The details shall be agreed with the local planning authority as part of that reserved matter submission. The development shall thereafter be carried out in accordance with the agreed site levels.

Reason: To enable a full assessment of the changes in levels across the site and the scale, massing and height of proposed buildings are compatible with adjacent development and in order to protect the setting of the Grade II* St Frideswide Farmhouse and to comply with Policy ESD15 of the adopted Cherwell Local Plan 2011-2031, Policy PR6a of the Local Plan Partial Review 2020 and Government guidance within the NPPF.

24. Prior to the commencement of any development, full details of a lighting strategy and its design, including position, orientation, and any screening of the lighting for biodiversity in line with the BCT Guidance Note 08/23 and shall show how lighting will not impact protected species or prevent them from using the territories shall be submitted to and approved in writing by the local planning authority. The development shall be carried out in accordance with the approved details and thereafter maintained fully in accordance with the agreed details.

Reason: To ensure the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031 and Government guidance within the NPPF.

25. Prior to the commencement of any development of the site, a full detailed sustainability strategy in accordance with Policies ESD1 – 5 of the adopted Cherwell Local Plan 2011-2031 shall be submitted to and approved in writing by the Local Planning Authority. All development shall be carried out in accordance with the approved details.

Reason: In the interests of ensuring sustainable development in accordance with the Development Plan and Government guidance within the NPPF.

26. All site clearance (including the removal of any vegetation or works to hedgerows) should be timed to avoid the bird nesting season and should be checked by a suitably qualified ecologist to check no wildlife habitats are present that could be affected/destroyed by the removal, unless alternative provisions have previously been agreed in writing by the Local Planning

Authority.

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031, Policy PR6a of the Partial Review Local Plan 2020 and Government guidance within the NPPF.

27. Prior to and within two months of the commencement of development on any part of the site, the site shall be thoroughly checked by a suitably qualified ecologist to ensure that no protected species, which could be harmed by the development, have moved on to the site since the previous surveys were carried out. Should any protected species be found during this check, full details of mitigation measures to prevent their harm shall be submitted to and approved in writing by the local planning authority. Thereafter the development shall be carried out in accordance with the approved mitigation scheme.

Reason: To ensure that the development does not cause harm to any protected species or their habitats in accordance with Policy ESD10 of the adopted Cherwell Local Plan, Policy PR6a of the Patrial Review Local Plan 2020 and Government guidance within the NPPF.

28. Prior to the first occupation of the development hereby approved, an Ecological Construction Method Statement (ECMS) and Landscape Ecological Management Plan (LEMP) shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the ECMS and LEMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031, Policy PR6a of the Partial Review Local Plan 2020 and Government guidance within the NPPF.

29. Prior to the first occupation of the development hereby approved, a Habitat Management and Monitoring Plan (HMMP) shall be submitted to and approved in writing by the local planning authority. Thereafter the HMMP shall be carried out in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031 and Policy PR6a of the Partial Review Local Plan 2020 and Government guidance within the NPPF.

30. Prior to the construction of any development above slab level, a Biodiversity Enhancement Strategy including a biodiversity enhancement plan shall be submitted to and approved in writing by the local planning authority. Thereafter the biodiversity enhancement measures approved for the development shall be carried out prior to first occupation of any development parcel or phase and retained in accordance with the approved details.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031 and Policy PR6a of the Partial Review Local Plan 2020 and Government guidance within the NPPF.

31. Prior to the commencement of any development on the site, a detailed Farmland bird compensation and mitigation strategy shall be submitted and

approved in writing by the local planning authority. The development shall thereafter be carried out and maintained in accordance with the approved strategy.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the adopted Cherwell Local Plan 2011-2031 and Policy PR6a of the Partial Review Local Plan 2020 and Government guidance within the NPPF.

32. Construction Environmental Management plan (for biodiversity) – Details to be inserted as per SC11.21

33. Prior to the commencement of any development on the site a Noise Assessment shall be carried out in relation to Oxford Road and Park and Ride and strategy which shall include noise insulation and mitigation measures necessary to protect those properties adversely affected by traffic and rail activity noise shall be submitted to and approved in writing by the Local Planning Authority. The development thereafter shall be carried out in accordance with the approved noise assessment and mitigation measures agreed.

Reason: To safeguard the residential amenities and living environment free from intrusive levels of noise for occupiers of the new development in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance within the NPPF.

APPENDIX 1 – MATTERS RELATING TO SECTION 106 AGREEMENT

Cherwell District Council Planning Obligation			
Detail	Amounts (all to be index linked)	Trigger Points	Regulation 122 Assessment
Affordable Housing	<p>50% of total numbers of dwellings to be affordable housing</p> <ul style="list-style-type: none"> - 70% social rent - 25% First Homes - 5% shared ownership <p>All affordable rented units to be M4(2) compliant and 5% to be M4(3) 2b compliant.</p> <p>All rented dwellings to meet Nationally Described Space Standards.</p>	Construct all of the Affordable Housing dwellings in a phase prior to the use or occupation of 85% of the Market dwellings in that phase/development parcel.	<p>Necessary – Yes, the site is allocated as part of the Partial Review Policy PR2 and PR6a are the relevant policies.</p> <p>Directly related – Yes, the affordable housing will be provided for the need identified in the Local Plan.</p> <p>Fairly and reasonably related in scale and kind – Yes, the contribution is the level of the expected affordable housing.</p>
Community Building	On site provision to agreed specification and long term management strategy.	Construction prior to 400 occupations (or an alternative agreed trigger).	<p>Necessary – Provision of a Community Building within the local centre in accordance with Policy BSC 12, Policy PR6a and Policy PR11 and the Developer Contributions SPD.</p> <p>Directly Related – Yes</p> <p>Fairly and Reasonably related in scale and kind - Yes</p>

Community Development Worker	Either £69,853.40 or bespoke stewardship arrangement.	Obligation covered by works to be undertaken by the Management Company.	Necessary - Financial contribution towards improvements to community integration and support within the locality in accordance with Policy BSC 12 and Policy PR11 and the Developer Contributions SPD Directly Related – Yes
Community Development Fund	Either £36,000.00 or bespoke stewardship arrangement.	Obligation covered by works to be undertaken by the Management Company.	Fairly and Reasonably related in scale and kind - Yes
Outdoor Sport Provision	£1,613,624.00	25% prior to first occupation 25% prior to 200 occupations 25% prior to 400 occupations 25% prior to 500 occupations (or an alternative agreed trigger)	Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the CDC Developer Contribution SPD Directly related – The future occupiers will place additional demand on existing facilities. Fairly and reasonably related in scale and kind – Based on CDC standards to deliver formal outdoor sports provision at PR7a and Stratfield Brake in line with the Sports Studies.

Indoor Sport Provision	£667,957.44	25% prior to first occupation 25% prior to 200 occupations 25% prior to 400 occupations 25% prior to 500 occupations (or an alternative agreed trigger)	Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD Directly related – The future occupiers will place additional demand on existing facilities. Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants (i.e. towards improvements at Kidlington & Gosford Leisure Centre and / or a new facility in the vicinity).
2 x LAP; 1 x LEAP; 1 x Combined LAP/LEAP; 1 x Combined LAP/LEAP/NEAP/MUGA - Maintenance costs	To agreed specification.	Obligation covered by works to be undertaken by the Management Company.	Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development in accordance with Policy BSC12, INF1 and advice in the Developer Contribution SPD. Directly related – The future occupiers will place additional demand on existing facilities. Fairly and reasonably related in scale and kind – Calculations will be based on the Developer Contributions SPD calculation based on the final mix of housing and number of occupants.
Cotteslowe Park Extension	As required by policy.	Provision to be made as part of the development.	
Green Infrastructure Corridor	As required by policy.	Provision to be made as part of the development.	
Open Space (Management and Maintenance)	Either by Management Company or CDC.	Obligation covered by works to be undertaken by the Management Company.	

<p>Allotments, Community Gardens and Orchards - specification</p>	<p>To agreed specification.</p>	<p>Prior to determination of the relevant Reserved Matters Application or Detailed Planning Application which includes the community gardens or alternative agreed trigger</p>	<p>Necessary – Delivering allotments, including community gardens and orchards, as required by Partial Review Local Plan Policy PR6a. Directly related – Yes. Fairly and reasonably related in scale and kind – Yes.</p>
<p>Biodiversity Net Gain</p>	<p>Scheme to provide for a minimum of 10% BNG and maintenance.</p>	<p>Upon completion of all the phases development, a minimum 10% biodiversity net gain will be delivered. (NOTE: This could involve some phases of development delivering less than 10% BNG).</p>	<p>Necessary – Delivering a minimum of 10% BNG is in accordance with the mandatory biodiversity net gain requirement for new housing and commercial development in The Environment Act 2021. Directly related – Yes. Fairly and reasonably related in scale and kind – Yes.</p>
<p>BIMP (including farmland birds mitigation) proposals</p>	<p>Scheme for off-site mitigation of farmland birds</p>	<p>In conjunction with the delivery of development.</p>	<p>Necessary – Delivering biodiversity improvements as required by Partial Review Local Plan Policy PR6a. Directly related – Yes. Fairly and reasonably related in scale and kind – Yes.</p>

Waste Recycling	£88,800	Prior to first occupation or alternative agreed trigger	<p>Necessary – Related to the increase in resident population as a result of the development and based on standard CDC charges.</p> <p>Directly related – Yes.</p> <p>Fairly and reasonably related in scale and kind – Yes.</p>
Land and provision of a recycling bank		Construct recycling bank prior to 400 occupations (or an alternative agreed trigger)	
CDC Monitoring Costs	£20,000	<p>Figure to be confirmed by CDC based on items to be monitored.</p> <p>50% prior to first occupation 50% prior to 400 occupations</p> <p>(or an alternative agreed trigger)</p>	The CDC charge is based upon its agreed Fees and Charges Schedule.

All of the above subject to S106 wording and standard repayment clauses to be included in the Agreement.

Oxfordshire County Council Planning Obligation			
Detail	Amount (all to be Index Linked)	Trigger Points	Regulation 122 Assessment
Primary Education - Transfer of school land	<p>Serviced and remediated land for a Primary school - 2.22 Hectares (excluding circulation area) (to agreed OXCC specification to allow for retaining structures).</p> <p>[To be transferred at nil cost but contribution from PR6b site and potential buy back mechanism should school use not proceed or ceases in the future]</p>	<p>OXCC trigger: 100 occupations (or an alternative agreed trigger)</p>	<p>Necessary – Related to the provision of a primary school on site to serve PR6a and PR6b. Local Plan Partial Review Policy PR6a is the relevant policy.</p> <p>Directly related – Related to the pupils generated by the development of PR6a and PR6b.</p> <p>Fairly and reasonably related in scale and kind – Yes, the transfer of land is expected as part of the delivery of the school</p>
Primary Education	<p>Financial contributions for construction of 1FE primary school (including nursery)</p> <p>£7,746,000</p>	<p>OXCC triggers: 10% prior to implementation 30% on due date of transfer at 100 occupations 30% 6 months after due date of transfer, or 200 occupations (whichever is earliest) 30% 12 months after transfer or prior to 300 occupations (whichever is earliest)</p> <p>(or alternative agreed triggers)</p>	<p>Necessary – Related to the provision of a primary school on site to reflect the increase in pupils resulting from the PR6a and PR6b developments.</p> <p>Directly related – Related to the pupils generated by the development of sites PR6a and PR6b.</p> <p>Fairly and reasonably related in scale and kind – Calculated on the of pupil yield and cost per pupil.</p>

Secondary Education	Financial contribution - £5,411,504	34% prior to 200 occupations 33% prior to 300 occupations 33% prior to 400 occupations (or an alternative agreed trigger)	Necessary – Related to the provision of secondary school enhancement in the District to reflect the increase in pupils Directly related – Related to the pupils generated by the development Fairly and reasonably related in scale and kind – Calculated on the of pupil yield and cost per pupil.
Secondary Education – Land Costs	Towards acquisition land costs for a new school - £448,853	Prior to 300 Occupations. (or an alternative agreed trigger)	Necessary – A contribution is also required towards secondary school site acquisition land costs, proportionate to Local Plan allocated dwelling numbers. Directly related – Related to the expected pupils generated by the development Fairly and reasonably related in scale and kind – Calculated on the basis of pupil yield and cost per pupil.
SEND Development	Financial contribution - £538,446	Prior to 500 Occupations. (or an alternative agreed trigger)	Necessary – Towards expansion of SEND school capacity. Requirement for additional SEND provision defined within the Oxfordshire SEND sufficiency Delivery Strategy. Directly related – Related to the expected pupils generated by the development. Fairly and reasonably related in scale and kind – Calculated on the basis of pupil yield and cost per pupil.

<p>Library Services</p>	<p>Expansion of Kidlington Library - £51,280</p> <p>Contribution to library stock at Kidlington Library - £27,086</p>	<p>OXCC trigger: Prior to 400 occupations All payments made by 2/3rds build out of the development (c. 533 occupations).</p> <p>(or alternative agreed triggers)</p>	<p>Necessary – This site is served by Kidlington Library which is unable to accommodate development from the PR Sites. To accommodate growth from the PR sites, the library needs to be reconfigured / refurbished to expand capacity.</p> <p>Directly related – Kidlington Library is the nearest public library to the PR6a site.</p> <p>Fairly and reasonably related in scale and kind – Yes.</p>
<p>HWRCs</p>	<p>Towards expansion and efficiency of Household Waste Recycling Centres - £75,168</p>	<p>Prior to first occupation (or an alternative agreed trigger)</p>	<p>Necessary – Related to the increase in resident population as a result of the development.</p> <p>Directly related – Related to the development of PR Sites.</p> <p>Fairly and reasonably related in scale and kind – Yes.</p>
<p>Archaeological Storage</p>	<p>Increased capacity at Standlake Storage Centre - £7,169</p> <p>Subject to any finds being found.</p>	<p>Prior to implementation</p>	<p>Necessary – On the basis that archaeological finds are excavated which require additional storage facilities, a financial contribution is necessary on that basis.</p> <p>Directly related – Yes</p> <p>Fairly and reasonably related in scale and kind – Yes</p>

<p>Oxford Airport Transport Hub</p>	<p>£2,238,631 (financial contribution to be confirmed)</p>	<p>25% prior to 500 occupations 50% prior to 600 occupations 25% prior to 700 occupations (or an alternative agreed trigger)</p>	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan. Directly related – Not directly related to the site, which is adjacent to Oxford Parkway Park & Ride but is identified in Appendix 4 of the Local Plan. Fairly and reasonably related in scale and kind – The scale of the identified contributions are split proportionately to the scale of the development.</p>
<p>Oxford Road Cycle Superhighway (beyond the site frontage of PR6a)</p>	<p>£845,337</p>	<p>25% prior to first occupations 50% prior to 200 occupations 25% prior to 300 occupations (or an alternative agreed trigger)</p>	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works are identified in the Local Plan. Directly related – Identified in Appendix 4 of the Local Plan. Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.</p>

Cuttleslowe Roundabout Improvements	£705,264	50% prior to 200 occupations 50% prior to 300 occupations (or an alternative agreed trigger)	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</p> <p>Directly related – Identified in Appendix 4 of the Local Plan.</p> <p>Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.</p>
A4260 Southbound bus lane from Bicester Road / A4260 junction to Kidlington roundabout	£1,585,564	50% prior to 400 occupations 50% prior to 600 occupations (or an alternative agreed trigger)	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</p> <p>Directly related – Identified in Appendix 4 of the Local Plan.</p> <p>Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.</p>

Signalised junctions along the A4260/A4165	£254,750	50% prior to 200 occupations 50% prior to 300 occupations (or an alternative agreed trigger)	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</p> <p>Directly related – Identified in Appendix 4 of the Local Plan.</p> <p>Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.</p>
Active Travel Infrastructure Cutteslowe Park Cycle Route	£216,028	100% prior to 200 occupations (or an alternative agreed trigger)	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</p> <p>Directly related – Identified in Appendix 4 of the Local Plan.</p> <p>Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.</p>

<p>Bus service improvements</p>	<p>£861,055</p>	<p>A declining bus subsidy calculation over 8 years:</p> <p>First occupations / Year 1: 22% 200 occupations / Year 2: 19% 300 occupations / Year 3: 17% 400 occupations / Year 4: 14% 500 occupations / Year 5: 11% 700 occupations / Year 6: 8% 800 occupations / Year 7: 6% 800 occupations / Year 8: 3%</p> <p>(or an alternative agreed trigger)</p>	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</p> <p>Directly related – Identified in Appendix 4 of the Local Plan.</p> <p>Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.</p>
<p>RTI Displays at existing Jordan Hill Bus stops (x4)</p>	<p>£41,211</p>	<p>100% prior to first occupation</p> <p>(or an alternative agreed trigger)</p>	<p>Necessary – The highway improvements are identified through the work on the Transport Assessment to establish appropriate sustainable transport / connectivity provision and the works required are identified in the Local Plan.</p> <p>Directly related – Identified in Appendix 4 of the Local Plan.</p> <p>Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.</p>

Public Rights of Way Improvements	£310,000 (sum to be agreed following further discussion)	Trigger point(s) to be confirmed following further discussion.	Necessary – A financial contribution towards the maintenance of footpaths in the local area is acceptable in principle. Directly related – Relates to PRoW within the local area but no specific works have yet been identified. Fairly and reasonably related in scale and kind – The level of contribution is questioned and discussions are ongoing.
Framework Travel Plan - Monitoring	Framework Travel Plan Monitoring - £1,890 School Travel Plan Monitoring - £1,890 Residential Travel Plan Monitoring - £3,110	100% prior to first occupation (or an alternative agreed trigger)	Necessary – The travel plan is necessary to encourage modal shift and is a requirement of the Local Plan. Directly related – Identified in the Local Plan. Fairly and reasonably related in scale and kind – The scale of the identified contributions are appropriate.
OXCC Administration and Monitoring Fee	£37,009 (subject to further discussion)	OXCC proposed triggers: 50% on completion 50% first occupation (or an alternative agreed trigger)	The OXCC charges are based upon Cabinet approved charging schedule.

All of the above subject to S106 wording and standard repayment clauses to be included in the Agreement.

Other Planning Obligations (Payable to CDC)			
Detail	Amount (all to be index linked)	Trigger Points	Regulation 122 Assessment
Thames Valley Police	Staff Set Up - £7,373 Vehicles - £17,840 Mobile IT - £9,450 ANPR Cameras - £11,000 Premises - £86,594	Prior to First occupation (or an alternative agreed trigger)	<p>Necessary – In relation to the demand and need the requirements would be in accordance with the Council’s Developer Contributions SPD.</p> <p>Directly related – The contributions are towards impacts from the development</p> <p>Fairly and reasonably related in scale and kind – Yes</p>
Buckinghamshire, Oxfordshire and Berkshire West Integrated Care Board (BOBW ICB)	Primary Care Infrastructure - £691,200	50% prior to 400 occupations 50% prior to 700 occupations (or an alternative agreed trigger)	<p>Necessary – The proposed development will lead to an increase in demand and pressure on existing services and facilities in the locality as a direct result of population growth associated with the development. Additional consulting rooms and enhanced capacity at Gosford Hill Medical Centre are therefore proposed through the contribution</p> <p>Directly related – Yes. The proposals would be used towards the creation of consultation space</p> <p>Fairly and reasonably related in scale and kind – Yes</p>

All of the above subject to S106 wording and standard repayment clauses to be included in the Agreement.