

URGENT BUSINESS AND SUPPLEMENTARY INFORMATION

Executive

1 December 2008

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7.	(Pages 1 - 8)	Eco-Town: Update on Current Position and Next Steps	Head of Planning & Affordable Housing	

If you need any further information about the meeting please contact James Doble, Legal and Democratic Services james.doble@cherwell-dc.gov.uk (01295) 221587

Executive

Eco Towns: Update on Current Position and Next Steps

1 December 2008

Report of Head of Planning & Affordable Housing Policy

PURPOSE OF REPORT

To initiate a study designed to further explore and illustrate the potential for an alternative eco-development at North West (NW) Bicester.

This report is public

Recommendations

The Executive is recommended to:

- (1) instruct Officers to undertake an initial 'Concept Study' of the potential alternative eco-development at NW Bicester (in accordance with the Brief and Timetable detailed in the report)
- (2) agree that consultancy support be commissioned for this work.

Executive Summary

Introduction

- 1.1 At its meeting on 17 November Executive considered an update report on the proposed Eco-Town at Weston Otmoor. This report is to be read in conjunction with that update.
- 1.2 The report explained the emergence of the idea of a potential alternative 'eco-development' at NW Bicester. The Council has put this idea forward for consideration by Government as part of the Sustainability Appraisal (SA) work on the Eco Towns Programme. This was done in support of objections to the Weston Otmoor Eco-Town. The Government's current consultation and the draft SA assessment indicate that the NW Bicester alternative is being seriously considered. This view is reinforced in a letter from the Housing Minister to the Leader of the Council (letter of 30 October 2008 at Appendix 5 of 17 November Executive Report).

- 1.3 The Minister's letter states: *"I would very much welcome working with your authority on the further development of the Bicester proposal. While the Sustainability Appraisal we have commissioned will identify the strengths of the location at a strategic level, we will need to see a more detailed conceptual study which would evaluate how the site can work as an eco-town in the light of the criteria and standards we will shortly publish"*.
- 1.4 Clearly, Government is now asking the Council to develop its 'proposal' further and to demonstrate how the concept could be taken forward to meet the objectives of the Eco-Towns Programme.
- 1.5 It would therefore seem sensible to consolidate the success achieved in getting the alternative proposition 'on the table' with higher Government assessment rating (in the Draft Planning Policy Statement - PPS) than Weston Otmoor. To do this, a Concept Study would need to be prepared for submission alongside the Council's response to the current Phase II Government consultation on the Eco Towns Programme. This consultation is due to close on February 19 2009, so it will be necessary to act quickly.
- 1.6 Given the required timetable for a Study, and taking into account the current workload and staffing position in the Council's Planning & Affordable Housing Policy Service, consultancy support for such a project would be essential. The Council has in place a framework arrangement to procure specialist consultancy support on planning policy work (and a reserve fund to cover costs). This arrangement is designed to deal with workload peaks and can be effectively used now.
- 1.7 A Draft Project Brief (including timetable) for the Concept Study is at Appendix 1. The requirement is for a 'draft' final report to be available for consideration by Executive at its meeting on 2 February, allowing the results to influence the Council's formal response to the current CLG consultation. The Study work would then be refined for submission to CLG by the final deadline of 19 February. In practice it may be possible to negotiate additional time to fully complete the study. This is because CLG will need some time to analyse the overall consultation response they receive before moving to decision.
- 1.8 At this stage, it should be stressed that the Council would be undertaking the study only on the basis that such work will further inform the Council's response to the Eco-Towns Phase II Consultation. The caveats included in the Leader of the Council's original letter to the Minister (Appendix 5 of 17 November Executive Report) still stand; that the Council strongly objects to the arbitrary, unplanned, selection of Eco-Town locations through a promoter bidding process, rather than through the Statutory Development Plan system.
- 1.9 However, when the Study is available and the Council makes its consultation response in February, an important decision will be needed. This will be between:
- (i) a continued stance of overall objection to the Government's Eco-Towns Programme. The NW Bicester Study would be used simply as an illustration that Cherwell has been correct in saying that evaluation of the 'pros and cons' of a new settlement must be on the basis of a proper comparison with urban expansion alternatives. The Concept

Study should help show how realistic such alternatives are in both a generic and a locally specific sense. This line of response may eventually necessitate a legal challenge to the whole Government programme on the basis that the Council cannot accept that Cherwell has been properly identified as an eco-towns location. Further advice on the legal position will be available alongside the February report.

- (ii) a continued strong objection to Weston Otmoor, but in principle support for a partnership with Government and landowners to set out to create an eco-development at NW Bicester. This would mean that Cherwell would be inviting the inclusion of NW Bicester as an Eco-Town designation in the final Planning Policy Statement. The Concept Study would allow a well considered judgement on the benefits or otherwise of this course, albeit we cannot expect to answer all the questions that would arise. If this position is taken there would still remain a need to explore viability and deliverability issues in depth. This would have to include full landowner engagement, as a negative position on the part of key landowners could prevent the development proceeding. A particular issue here will be the 'exception/off plan' nature of the Government's Eco-Town proposals and its reliance on lower than market land value expectations. The Council would also wish to be assured by Government on issues of policy, implementation and funding support and the role of the Development Plan (Regional Spatial Strategy and Local Development Framework) in determining the final decision on housing numbers and the detail of development locations.

- 1.10 It is important to note that whatever view the Council takes in its consultation response there will remain considerable risk and uncertainty of outcome. Even if the Government evaluation results in a decision to exclude Weston Otmoor from the final Planning Policy Statement (PPS) there is still every prospect of a long planning 'battle' at local level, with the Weston Otmoor promoter continuing to put their scheme forward through the LDF process and possibly a planning application.

Background Information

- 2.1 The Executive has previously considered detailed reports on this overall Eco-Towns issue on 18 February 2008, 9 April 2008, 7 July 2008 and 17 November 2008. Those reports provide full background.

Key Issues for Consideration/Reasons for Decision and Options

- 3.1 The decision to be taken is whether or not to commission a Study of the NW Bicester eco-development alternative. The issues around this decision are set out in the Executive Summary above.

The following options have been identified:

- | | |
|-------------------|--|
| Option One | To proceed with the Study as recommended; |
| Option Two | To continue to object to the Eco-Towns Programme and the Weston Otmoor proposal without further work on NW |

Bicester.

Consultations

- 4.1 The Council's work on Eco-Towns sits within a framework of extensive consultation. This has been detailed in previous reports noted above.

Implications

Financial: The costs of consultancy support for the Study work recommended are still to be defined but can be met from existing earmarked reserves.

Comments checked by Eric Meadows, Service Accountant, 01295 221552

Legal: There are no specific legal issues arising from this report, but the Council has previously noted its concerns about the legality of the overall Government Eco-Towns Programme. This issue is considered in the Executive Summary above.

Comments checked by Pam Wilkinson, Principal Solicitor, 01295 221688

Risk Management: The decision to be taken on this report starts to highlight the risk judgements that will eventually need to be made in responding to the Government's Eco-Towns Programme as it affects Cherwell. Ultimately, a view has to be taken about the best way to minimise the likelihood that the Weston Otmoor site is 'selected'. Once decisions are taken by Government, and if a Cherwell site is included in the Eco-Towns Programme, the Council then face a further series of risks about its best course of action. Some of the uncertainties are highlighted in the Executive Summary above.

Comments checked by Rosemary Watts, Risk Management & Insurance Officer, 01295 221566.

Efficiency Savings None arising from this report.

Comments checked by Eric Meadows, Service Accountant, 01295 221552

Wards Affected

Kirtlington directly, but impact on whole District and sub region.

Corporate Plan Themes

Cherwell: A District of Opportunity, A Cleaner, Greener Cherwell and A Safe and Healthy Cherwell.

Executive Portfolio

Councillor Michael Gibbard
Portfolio Holder for Planning & Housing

Document Information

Appendix No	Title
Appendix 1	Draft Project Brief: NW Bicester 'Eco Development' as Alternative to Weston Otmoor Eco Town Proposal Concept Study
Background Papers	
Report Author	John Hoad, Strategic Director: Planning, Housing & Economy
Contact Information	01295 222535 john.hoad@Cherwell-dc.gov.uk

Draft Project Brief

NW Bicester “Eco Development” (as Alternative to Weston Otmoor Eco Town Proposal)

Concept Study for Cherwell District Council

Background

CDC is objecting to the Government’s Eco Town scheme and the short listed proposal at Weston Otmoor. As part of that objection the “idea” of an alternative eco development at NW Bicester has been floated. This idea is based on Local Development Framework (LDF) work by CDC, but is currently undeveloped / untested. However following Sustainability Appraisal and assessment by Government (CLG) it has been rated as “a location that might be suitable subject to meeting specific planning and design objectives”.

CDC is in the process of considering if the NW Bicester concept should be taken further. GLG support a further investigation. CDC will need to consider the concept in more detail to inform its decisions on how to progress its case to Government to reject the Weston Otmoor Eco-Town proposal, and also to decide if a NW Bicester eco development can realistically be promoted as part of the LDF.

CDC therefore wishes to explore the potential to create an eco standards (Draft PPS on Eco Towns) development on approx. 300 Ha urban edge site at NW Bicester. The site will need to accommodate a minimum of 5000 dwellings. The development would need to provide a viable new community that builds on and complements the growth and development of Bicester and its infrastructure / facilities.

Note the final decision to commission this project has not yet been taken. The decision depends partly on the outcome of current discussions with Government (CLG). However commissioning is very likely and a decision will be taken by CDC by 03.12.08

Objectives

To produce an illustrative concept plan that can be used to:

1. provide an initial basis for development of a realistic proposal for “eco development” at NW Bicester, (as a special government backed policy element of CDC’s Local Development Framework)
2. begin explore viability and deliverability issues

Outcomes / Content

The project should provide:

- Survey report collating all available information sources on NW Bicester site constraints and opportunities (survey is expected to be primarily desktop using existing information. Primary survey other than site appraisal is not expected)

- Analytical report on the way in which a NW Bicester “eco-development” could satisfy the Government’s draft PPS criteria for eco towns and the essential features that would need to be planned into the development. This work to draw on the experience of Eco town submissions to Government to date
- Analytical report on the infrastructure and community facility requirements of the development – including elements to be provided through enhanced central facilities in Bicester/elsewhere. This to be based on theoretical analysis of per dwelling requirements and settlement size thresholds and to include a limited technical consultation with Oxfordshire County Council on standard service / planning obligation requirements.
- (Above to take account of parallel transportation modelling and access work undertaken by Halcrow consultancy for CDC and Oxfordshire County Council for LDF purposes and of East West Rail consortium proposals. A special model run to consider higher levels of development will be commissioned)
- An illustrative concept master plan with supporting report promoting and explaining eco features. The report should also detail land budget and density assumptions, and the philosophy, content and design rationale for the master plan
- A theoretical viability and deliverability analysis, including suggested model for land valuation and infrastructure / eco development standards funding. This to assume the land will only be made available for development “off plan” as a special eco development

Information Sources

CLG consultation material on Eco Towns programme – in particular Draft sustainability appraisal of Cherwell locations

CDC NW Bicester submission and brief analysis of constraints (**attached**)

CDC NW Bicester landownership information and plan

CDC LDF consultation responses relevant to the NW Bicester area

Arup report on Socio economic Impact of Weston Otmoor Eco-Town on Bicester

Output

25 paper copies of draft report (including one loose leaf) and electronic version by e mail for wider circulation / use

25 Paper copies of final report (including one loose leaf) and electronic copy of on CD

Attendance of Project Director and appropriate team members at two presentation meetings CLG Cherwell Area Eco Towns Governance Meeting (draft and final report stages – to feedback and sign off report)

Possible attendance of Project Director and appropriate team members at seminar style meetings (with wider external audience following completion of the project, but potentially including Town Council / business interests and landowning interests). A separate indicative costing required as this will be an optional follow up to completion of the project with number of meetings to be decided.

Consultancy Project team to be available to contribute to follow up meetings/work with CLG (hourly rates to be provided for costing purposes and to be agreed as required)

Time scales

Project to be commissioned by 03/12/08 (Inception meeting expected on that date or shortly after)

Draft final report to be available by 30/01/09 to inform CDC response to Government Eco Towns Phase 2 consultation response due by 19.02.09

Final report deadline to be negotiated, but expectation is end February

Consultants must be able to deliver to this timetable

Award of Contract

Contract to be awarded under CDC Local Development Framework pre approved consultants list / scheme, on the basis of informal interview with consultancies interested / available. Before interview interested consultancies will be expected to provide a simple costing only (by e mail). The costing should be on the basis of this Brief. No project submission is required, though CDC will be open to refinement of the Brief as part of the informal interview process

Expertise required

- Planning
- Infrastructure planning including transportation aspects (transportation modelling expertise and information will be available at level required from an existing consultancy commission)
- Environmental science
- Estates / valuation / development economics
- Conceptual design and master planning

Version 4

26.11.08