

SUPPLEMENTARY INFORMATION

Planning Committee

18 February 2016

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CHERWELL DISTRICT COUNCIL PLANNING COMMITTEE

18 February 2016

WRITTEN UPDATES

Agenda Item 7 14/01968/F New Highway aligned with Howes Lane, Bicester

- Recommendation is amended as follows:

Approval, subject to:

- a) The end of the 21 day consultation period and the resolution of any further objections received, including any minor alterations to the design of the road to accommodate this and to the satisfaction of the Development Services Manager;
 - b) OCC confirming that updated tracking is acceptable including any minor alterations to the design of the road to accommodate this;
 - c) The applicants entering into an appropriate legal agreement to the satisfaction of the District Council to secure apprenticeships, the closure of Howes Lane to vehicular traffic, and the reduction in speed along the retained Howes Lane, the partial closure of Bucknell Road and to secure a contribution towards offsite farmland bird mitigation if this not secured through other means and delegation to Officers to finalise this;
 - d) the attached conditions (see appendix 1) with delegation to Officers to finalise conditions following any ongoing negotiation, in consultation with the Chairman of the Planning Committee.
- The **description of development** has been amended to reflect the amended plans to the following:

'Construction of new road from Middleton Stoney Road roundabout to join Lord's Lane, east of Purslane Drive, to include the construction of a new crossing under the existing railway line north of the existing Avonbury Business Park, a bus only link east of the railway line, a new road around Hawkwell Farm to join Bucknell Road, retention of part of Old Howes Lane and Lord's Lane to provide access to and from existing residential areas and Bucknell Road to the south and associated infrastructure.'

Further comments:

- Comments from Oxfordshire County Council are attached (see Appendix 2).

Following these comments, conditions have been formulated and correspondence has been ongoing between the Highway Authority and the Applicant's Highway Consultant. In email correspondence, the Highway Authority have indicated that the additional modelling does not appear to suggest unreasonable queue lengths in the worst case scenario

however there are outstanding queries with the tracking provided which may need to result in some widening out of lanes and increasing kerb radius as necessary to ensure the tracking remains within the kerb lines. Advice is further awaited relating to the visibility splays.

- A letter has been received from the agent for one of the Land Owners that notice has been served for this application. This letter is attached (see Appendix 3).

- Natural England

Natural England does not consider that this application poses any likely or significant risk to those features of the natural environment for which we would otherwise provide a more detailed consultation response and so does not wish to make specific comment on the details of this consultation.

- Middleton Stoney Parish Council

Middleton Stoney Parish Council has considered the amendments outlined by the agent in his letter of 15 January 2016 but considers that they do not change the viewpoint contained within our original response and still wishes to **object** to the application.

The original comments made and as summarised within the committee report are repeated.

- Bucknell Parish Council

Taking into account the notes provided by the Agent, we do not feel that these fundamentally change the objections and concerns we have previously raised in relation to this application in our letter of the 26 January 2015. Their comments are reiterated in full along with those provided to other related applications that cover North West Bicester. The original comments are summarised within the committee report.

- Caversfield Parish Council

The Parish Council agrees that, on the whole, the proposal appears to be an improvement; however it was hard to appreciate from the disjointed plans and the Design and Access Statement. The Councillors would be grateful for clarification of the arrangements to the access to the existing Bucknell Road from Lords Lane, both towards Bicester and north towards Bucknell as it is unclear. There was also concern about the proposal to limit the access to Shakespeare Drive at junction 3/ 3a to one way as whilst it is in the text, the plans do not show which direction would be restricted.

- 4 further third party comments have been received. These are summarised as follows:

- Support the proposal. The road can be designed to offer protection for cyclists, pedestrians and runners who are vulnerable on the existing Howes Lane and improve the environment for users of this road.
- The new road would be constructed more generously in terms of size of carriageway.
- The proposed road will have well thought out and well designed drainage to cope with future heavy rainfall.
- The road will continue Vendee Drive as a road built to a similar safe standard with good visibility
- The town will have a ring road which is fit for purpose and will enhance future growth and infrastructure.
- Urge the Planning Committee to demonstrate joined up thinking and both approved the realignment of Howes Lane and reject the Albion Land proposal as long it contains such a preponderance of warehousing and the proposal for

- access on Howes Lane.
- Strongly in favour of the realignment of Howes Lane. Firstly, the road was not built for and cannot sustain the current level of vehicles using it.
- As a resident backing onto Howes Lane, you must realise that the noise, pollution and safety is high. Difficult to use back gardens due to the noise, emissions and the closeness of large vehicles using the route.
- At peak times, there are long queues and the junction with Bucknell Road is becoming a bottleneck.
- Pleased to see the existing Howes Lane will become a green buffer as part of the plan.
- The road appears nicely laid out, with thought given to pedestrians and cyclists on both sides of the new road.
- The Derwent Green Residents Association make the following comments:
 - Hard to over emphasise the frustration and desperation felt by the Members, particularly those whose homes back onto Howes Lane at the dramatic and dangerous increase of traffic on Howes Lane since Vendee Drive opened and the construction work commenced on the Eco Town development
 - The number of heavy lorries has increased especially during the night and rush hour traffic has increased
 - Has any assessment of traffic levels been made? A 7.5 ton weight limit should be established on Howes Lane as a matter of urgency and the 40mph speed limit extended along the route.
 - Support the proposals for a realigned Howes Lane and urge that an early timetable is agreed and published and adhered to.
 - Urge the Planning Committee to demonstrate joined up thinking and both approve the realignment of Howes Lane and reject the Albion Land proposal as long as it contains such a preponderance of warehousing and the proposal for access on Howes Lane.

Agenda Item 8 14/02121/OUT Proposed Himley Village

- Recommendation is amended as follows:

Approval, subject to:

- a) Delegation of the negotiation of the S106 agreement to Officers in accordance with the summary of the Heads of Terms attached at appendix B and subsequent completion of S106 agreements and;
 - b) the attached conditions (see Appendix 4)with delegation provided to the Development Services Manager in consultation with the Chairman of the Planning Committee to negotiate any reasonable alterations to the conditions to reflect the finalised proposal.
- The description of development has been amended to reflect the proposal more closely to the following:

OUTLINE - Development to provide up to 1,700 residential dwellings (Class C3), a retirement village (Class C2), flexible commercial floorspace (Classes A1, A2, A3, A4, A5, B1, C1 and D1), social and community facilities (Class D1), land to accommodate

one energy centre and land to accommodate one new primary school (up to 2FE) (Class D1). Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure and other operations (including demolition of farm buildings on Middleton Stoney Road)

- A letter has been received from A2 Dominion in relation to the proposal which is attached (see Appendix 5).
- A letter has been received from the Agent for Albion Land. This letter is attached as Appendix 6
- Comments have been received from OCC as Highway Authority in relation to submissions made by the applicant relating to Highway capacity. This response is attached as Appendix 7.
- The applicant has submitted a form of wording as their proposal for a Grampian condition. This is attached as Appendix 8. Officers have carefully considered this and taken legal advice and believe that the wording contained within the formal list of proposed draft conditions secures the development as required.
- Formal comments from the Council's Housing Team are yet to be received.
- **CDC BUSINESS SUPPORT UNIT** – It is estimated that this development of 1700 houses has the potential to attract New Homes Bonus of approximately £12,400,426 over 6 years under current arrangements for the Council, with an additional sum paid of £280 per affordable home.

Agenda Item 9 15/01693/F Muddle Barn Farm, Sibford Gower

- Application **WITHDRAWN**

Agenda Item 10 15/01953/OUT Land N of Southfield Farm, Weston-on-the-Green

- Following the publication of the committee agenda, the appeal decision in respect of a proposal for up to 51 dwellings at Chesterton was issued. This decision deals with similar issues to those raised in respect of items 10 and 12 on the agenda, which are outline applications for residential development at Weston-on-the-Green and Milcombe. The appeal decision is yet another welcome endorsement of the Council's ability to demonstrate an up-to-date 5 year housing land supply, and places the Council in a strong position to resist inappropriate and unsustainable development in the rural areas. It also endorses the amount of development proposed in relation to the size and relative sustainability of the village as a relevant factor to be taken into account when deciding whether a proposal is acceptable in principle and a sustainable distribution of the rural areas allocation under Policy Villages 2 of the Cherwell Local Plan. However it does not mean the Council can refuse development at the Category A villages solely on the basis that the Council has a 5 year housing land supply; the Council must consider each proposal on its own merits and

must be able to demonstrate that the proposal in question causes unacceptable harm.

In the case of Weston-on-the-Green, the amount of development proposed when considered with the development already committed at Weston-on-the-Green under Policy Villages 2 is 46 dwellings. This is considerably less than that at Chesterton, which would have been in excess of 100 dwellings had the appeal proposal for 51 dwellings been allowed. In the case of Milcombe, although a development of 29 dwellings has taken place relatively recently, this pre-dates the adoption of the Cherwell Local Plan 2015 Part 1 and no development has yet taken place or been committed at Milcombe that would contribute to the rural areas allocation under Policy Villages 2. In this context, officers remain of the view that the proposals are, on balance, an appropriate amount of development that is proportionate to the relative sustainability of the villages, and so in accordance with the Local Plan strategy for distributing housing growth in the rural areas.

Furthermore, unlike the Chesterton and Kirtlington appeal decisions, officers consider that the proposals at Milcombe and Weston-on-the-Green do not result in any significant other harm (for example in highway safety, visual amenity or landscape terms), such that the proposals could be considered unacceptable for other reasons.

In conclusion therefore, having carefully considered the appeal decision at Chesterton, your officers' recommendation to approve in respect of items 10 and 12 on the agenda is unchanged.

- **CDC BUSINESS SUPPORT UNIT** – It is estimated that this development of 26 houses has the potential to attract New Homes Bonus of approximately £189,654 over 6 years under current arrangements for the Council, with an additional sum paid of £280 per affordable home

Agenda Item 11 15/02033/F West Of Homestead, Church Lane, Epwell

- Application **WITHDRAWN**

Agenda Item 12 15/02068/OUT Land N of The Green, Milcombe

- See comments under Item 10 above re recent Chesterton appeal
- Four further e-mails/letters have been received objecting to the proposal on the grounds that it would impact upon the village too much due to
 1. Oak Farm Drive is not suitable to take extra traffic as it is narrow and passing is difficult
 2. Concern about junction of Oak farm Drive with Wigginton Heath Road and parking on that road leading to issues of road safety and convenience
 3. Concern about adequacy of the sewerage system and proposed

- route of sewer pipes
4. Concern about status of “footpath” to rear of 7-11 The Green
 5. Land drainage concerns
 6. Previous construction compound on this land left drainage issues affecting Oak Farm Close – concern that this may be made worse by recent archaeological survey work and by proposed development
 7. Lack of capacity in local primary schools and Warriner school
 8. Would enlarge the village unacceptably, changing the character of the village
- Milcombe Parish Council has already submitted objections to this application. However, should the Planning Committee be minded to approve the application at its meeting on 18 February 2016, the Parish Council wishes to make the following comment:

Milcombe Parish Council would wish to request additional Section 106 monies, from the developer, to cover much needed improvements to the recreational activities in our ever growing village.

These improvements would include extending the main play and recreational area, and the facilities within it, and significant improvements to the Village Hall.

There is also the possibility that funding for the Mobile Library service will be reduced/lost, so contributions would also be sought to maintain this service.

- **CDC BUSINESS SUPPORT UNIT** – It is estimated that this development of 40 houses has the potential to attract New Homes Bonus of approximately £291,775 over 6 years under current arrangements for the Council, with an additional sum paid of £280 per affordable home
- An addendum to the landscape and visual assessment has been submitted to address comments made by the Council’s Landscape Officer.
- A further iteration of the illustrative masterplan has been produced which attempts to address detailed issues concerning the hedgerow on the eastern boundary, with a widened buffer on this side, the public open space/LAP, repositioned houses away from the western and southern boundaries to allow landscape mitigation.
- A further visual appraisal has been undertaken of the impact of the scheme when viewed from the east. This reports that

The following describes the identified visual effects to the visual receptors represented by viewpoint location 4.

Viewpoint 4: The viewpoint is representative of the users of the local highway, a

minor road leading to a cul de sac. The speed of travel on the highway would be low. The viewpoint is also in close proximity to single storey residential properties, with large front gardens with boundary vegetation. Consequently the sensitivity of the receptor is considered to be **Medium**. It is considered that there would be a **Medium** magnitude of visual change from this location. This is due to the distance from the proposed development, the similar appearance in builtform in terms of scale, and character to that of the existing housing at Oak Farm Drive and residential properties in the south, presence of the overhead lines as a visual detractor (not shown in the photograph), the angle of view on the horizon susceptible to change by the viewer and the presence of intervening vegetation which provides partial screening in the middle distance.

It is considered that there would be a **Moderate Adverse** visual effect on Viewpoint 4 and the immediate surroundings. The degree of visual effect would decline over time as existing and proposed tree and shrub planting increase in size providing partial screening in the middle distance to views from the east. Over time it is considered the effects would reduce to **Moderate/Minor Adverse**.

They conclude by the following comments

From desktop study and fieldwork we find the proposed residential development would have a moderate/minor adverse effect on views from the east near Paradise Lane, following plant establishment over a period of 10 years.

The proposed development proposes to retain the existing boundary vegetation which would be protected during construction and enhanced by additional planting of native trees and shrubs. Following guidance provided by Cherwell Landscape Officer, further consideration would be provided during the detailed design process of the Reserved Matters Application in the event of a successful Outline Application to creation of a buffer to existing boundaries to provide adequate protection with further planting to assist in greening of the development. Further planting would occur within the development by use of tree planting within areas of public open space, the street and also within gardens of the individual properties. This new planting will assist in greening of the existing settlement edge of the Oak Farm Drive housing development, already completed, to views to the east. The planting would enhance the aesthetic of the local environment and assist in enhancement of local biodiversity and nature conservation interests

- In response the Council's Landscape Officer comments
I would be happy to support the LVIA judgement for VP4 (a Moderate/Minor Adverse effect over time) if the illustrative masterplan indicated sufficient depth of landscape buffer to the eastern boundary. It does not. The 4 m wide buffer is for a reason. The proposed trees appear to be located very close to, or within the access road, and it would be therefore, difficult for these trees to survive, with insufficient soil volume to aid establishment. The 4 m wide buffer allow for the prescribed number a trees to develop and provide the necessary level of landscape mitigation over time.

Furthermore the layout ignores the existing trees adjacent to the housing on this boundary; trees that must be subject to a BS5837 survey (existing hedgerows to be included) with root protection zones, with protective fencing during site activation/clearance and construction. This survey is required at the earliest possible opportunity in order to establish a design constraint and also inform the design layout.

The LAP requirement (location/connectivity) within the layout is an outstanding matter. The illustrative masterplan does not currently show a LAP.

(Development Services Managers note: on an outline application these matters can be dealt with by **additional conditions** – to be agreed with the Chairman)

Agenda Item 13 Former Lear site, Bessemer Close, Bicester

- **CDC BUSINESS SUPPORT UNIT** – It is estimated that this development of 70 houses has the potential to attract New Homes Bonus of approximately £510,606 over 6 years under current arrangements for the Council, with an additional sum paid of £280 per affordable home
- Further comments received from the Council's Environmental Protection Team Leader

The Noise and Vibration Impact Assessments Reports that have been submitted demonstrate that internal and external noise levels as recommended in British Standard BS8233:2014 Guidance on sound insulation and noise reduction for buildings can be achieved with appropriate mitigation. This is in respect of traffic and rail noise.

However, what has not been assessed is the impact of noise from the industrial and commercial units. The adjoining units, as I understand it, have B2/B8 use and there are no restrictions on the hours of use. The applicant has stated that their current use, mainly as storage, does not create a lot of noise although this has not been assessed and the use could change. The garage opposite has a number of MOT and maintenance bays which are a potential source of noise. An assessment of all potential noise sources from the industrial and commercial units is therefore required. The assessment should be carried out in accordance with British Standard BS4142:2014 Methods for rating and assessing industrial and commercial sound

- Comments in reply received from the applicants planning consultant

The noise survey that was commissioned and submitted in support of the Application covered all four corners of the site and was not limited to road or rail noise.

It considered the noise environment around this site.

This survey demonstrates that this is not a noisy location and we stand by our position, as demonstrated by the evidence, that this is entirely suitable for residential development.

Our consultants are preparing a response and this will be with you I hope by the

end of today(Tuesday).

- Further comments received from planning consultant
I attach further details which I formally submit in order to address the Council's remaining concerns, I request that this email and both attachments are made available to the Committee, in the update report. (DSM'S NOTE –**SEE Appendices 9 and 10** at end of report)

Please note that the monitoring took place on all 4 sides of the building for one week and assessed all forms of noise and we are confused how Mr Dixon thinks we have not assessed the impact of the neighbouring commercial uses.

Our noise consultants visited the site to carry out their assessment, they consider that the surrounding land uses are compatible with the residential use of this site and this is supported by the evidence they collected.

The extended assessment attached shows that the effect of the Garage/MOT operation (Sui Generis) will be of marginal significance to the closest receiver and that none of the nearby land uses would substantiate a reason for refusal on the grounds of noise or vibration. It is important to note none of the nearby land uses fall within the potentially problematic B2 use class.

It is also apparent that the Council has mis-applied the Standard to this case

- Final comments from Env Protection TL
My initial comments are that the information presented in the BS4142 assessment is not detailed enough to accept the report, for example it is not clear what corrections have been applied to which noise source.
- On the basis of these comments it is considered that a **fourth reason for refusal** may be appropriate(subject to further discussion with the EPTL)

4. On the basis of the information available the Local Planning Authority is not convinced that the noise climate produced by surrounding commercial uses, when added to that from road and rail noise, is compatible with creating an acceptable residential living environment for future residents and that therefore the development would be contrary to Policies ESD 15 of the Cherwell Local Plan 2011-2031 and saved Policy C30 of the Cherwell Local Plan1996

Agenda Item 15 By Ingleby, Station Road, Bletchington

- Paragraph 7.18 of the report refers to the potential for a water main to cross the site as advised by Thames Water in response to consultation. On further assessment by Thames Water it now appears that the water main is

located outside the site and so should not be a constraint to development taking place on it. The contents of paragraph 7.18 should therefore be disregarded as they are no longer relevant.

- **CDC BUSINESS SUPPORT UNIT** – It is estimated that this development of 10 houses has the potential to attract New Homes Bonus of approximately £105,363 over 6 years under current arrangements for the Council, with an additional sum paid of £280 per affordable home.

Conditions for 14/01968/F

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: **To be confirmed**

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

3. Prior to the commencement of the development hereby approved, a phasing plan covering the entire site the subject of this application, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall proceed in accordance with the approved phasing plan.

Reason: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National Planning Policy Framework.

4. Prior to the commencement of the development hereby approved, full details of the means of access between the land and the existing 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 contained within the National Planning Policy Framework.

5. Notwithstanding the submitted details and prior to the commencement of the development hereby approved, full details of the access vision splays for each junction, including layout and construction shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the road the vision splays shall be constructed in accordance with the approved details and the land and vegetation within the vision splays shall not be raised or allowed to grow above a maximum height of 0.6m above carriageway level.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, full specification details of the road infrastructure including construction, surfacing, layout, drainage, lighting, signage, traffic signals and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the road, the development shall be constructed in accordance with the approved details.

Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

7. Prior to the commencement of the development hereby approved, details of the final surface treatment of road, cycleway and footway shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

8. Notwithstanding the submitted details and prior to the commencement of the development hereby approved, revised positions for the bus stops, which shall be Real Time Information enabled, shall be submitted to and approved in writing by the Local Planning Authority. The bus stop positions shall thereafter be provided in accordance with the approved details prior to the first use of the development.

Reason – The position of bus stops must be designed into the road infrastructure at the earliest opportunity and in the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

9. Prior to the first use of the road infrastructure hereby approved, full details of the bus stop infrastructure and street furniture to be provided at the bus stops as well as details of the future maintenance arrangements for these features shall be submitted to and approved in writing by the Local Planning Authority. The bus stop infrastructure and street furniture shall be provided prior to the first use of the road infrastructure and shall be maintained in accordance with the approved details thereafter.

Reason - In the interests of sustainability, to ensure a satisfactory form of development and to comply with Government guidance contained within the National Planning Policy Framework.

10. Notwithstanding the submitted details and prior to the commencement of the development hereby approved, revised details of the junction ellipses shall be submitted to and approved in writing by the Local Planning Authority. The junction ellipses shall be provided in accordance with the approved details.

Reason - In order to ensure the satisfactory appearance of the completed development that is also in the interests of highway safety and to meet Oxfordshire County Council's Standards for Adoption and to comply with Government guidance contained within the National Planning Policy Framework.

11. No development shall commence on the road infrastructure hereby approved until such time that a scheme for the closure of the existing parts of Howes Lane and Bucknell Road that are proposed to be closed through a formal Traffic Regulation Order, has been submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first use of the road, the scheme shall be constructed and implemented in accordance with the approved details.

Reason – In order to secure the proper planning of the area and the comprehensive development of adjoining land and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

12. Prior to the commencement of the development, full details of the interface between the road infrastructure and the areas of land at the existing Howes Lane and Bucknell Road that are to be closed shall be submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the details so approved.

Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

13. Prior to the commencement of the development, full details of the design of the traffic signalised junctions and signalised crossings, including the method by which the signals shall operate in combination as a network, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to first public use of the road infrastructure, the traffic signals shall be installed and commissioned in accordance with the approved details.

Reason - In the interests of highway safety, to ensure a satisfactory standard of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework.

14. Prior to the commencement of the development hereby approved, a detailed scheme design including calculations for surface water drainage of the development including details of all SUDs infrastructure and maintenance of the features shall be submitted to, and approved in writing by, the Local Planning Authority. Thereafter and prior to the commencement of any development on the site the approved surface water drainage scheme shall be implemented and thereafter maintained.

Reason - In the interests of highway safety and flood prevention and to comply with Government guidance contained within the National Planning Policy Framework.

15. Prior to the commencement of the development, full details of the design of the ponds shall be submitted to and approved in writing by the Local Planning Authority. The design of the ponds shall be implemented in accordance with the approved details.

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

16. Prior to the commencement of the development, a Construction Traffic Management Plan (CTMP) shall be submitted to and approved in writing by the Local Planning Authority. The plan is to include details of wheel washing facilities, any restrictions upon development traffic and routing of construction traffic to the site. The approved plan shall be implemented in full during the entire construction phase.

Reason – In the interests of highway safety, to mitigate the impacts of the development during the construction phase and to protect the amenities of the neighbouring residents during the construction phase in accordance with Policy ENV1 of the adopted Cherwell Local Plan.

17. Prior to the commencement of the development, a Construction Environment Management Plan (CEMP)/ Code of Construction Practice (CoCP), which shall include details of the measures to be taken to ensure construction works do not adversely affect residential properties on, adjacent to or surrounding the site and details of the measures to be taken to ensure that construction works do not adversely affect biodiversity shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason - To ensure the environment is protected during construction in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

18. Within 4 months from the first use of the road infrastructure hereby approved, a post construction noise survey shall be carried out to assess whether there are any adverse effects from the road once in operation on any existing residential dwelling that would exceed the levels set out in BS8233:2014, which shall be submitted to and approved in writing by the Local Planning Authority. Should any adverse effects be identified, a scheme for the remediation of any such impacts shall be identified within the report and shall be approved in writing by the Local Planning Authority. The identified remediation shall be carried out within 3 months from the written approval of the remediation scheme.

Reason - To ensure the creation of a satisfactory environment free from intrusive levels of noise and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

19. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy has been submitted to the local planning authority for its written approval. The remediation strategy shall include details how this unsuspected contamination shall be dealt with. The remediation strategy shall thereafter be implemented as approved.

Reasons: To ensure that any unexpected contamination encountered is dealt with, such that it does not pose an unacceptable risk to ground or surface water quality as required by PPS1 Policy ET17 and the NPPF.

20. No development shall commence until a Soil Resources Plan that details the soils present, proposed storage locations, handling methods and locations for reuse, 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 plan.

Reason: To ensure the soil resource is managed on site in accordance with adopted Cherwell Local Plan policy Bicester 1.

21. Prior to the commencement of the development, details of existing and proposed levels for the road infrastructure shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved levels.

Reason: To ensure high quality design and sustainable development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

22. Prior to the commencement of the development hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, 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 details and specifications.

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

23. Prior to the commencement of the development hereby approved, a landscaping scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme for landscaping the site shall include:-

- (a) details of the proposed tree and shrub planting including their species, number, sizes and positions, together with grass seeded/turfed areas

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

24. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in accordance with BS 4428:1989 Code of Practice for general landscape operations (excluding hard surfaces), or the most up to date and current British Standard, in the first planting and seeding seasons following the final surface course of the road/ footways being completed. Any trees, herbaceous planting and shrubs which, within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the current/next planting season with others of similar size and species.

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

25. Prior to the commencement of the development hereby approved, full details of a scheme for the protection of all retained trees and hedgerows, in accordance with the recommendations contained within the tree survey report submitted with the application (Report number 5003-UA005241-UE21R-01-Arb-App-3 dated 3rd December 2014) shall be submitted to and approved in writing by the Local Planning Authority. All approved tree protection measures shall be installed prior to the commencement of the development and shall be retained for the duration of the construction phase.

Reason - To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Saved Policy C28 of the adopted Cherwell

Local Plan 1996 and Policy ESD15 of the adopted Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

26. Prior to the commencement of the development hereby approved, full details of all service trenches, pipe runs or drains and any other excavation, earth movement or mounding required in connection with the development, including the identification and location of all existing and proposed trees, shrubs and hedgerows within influencing distance of such services, including details of any required engineering solution methods for development within the Root Protection Area of any tree/hedgerow 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 details.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

27. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage 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 and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

28. Prior to any demolition on the site and the commencement of the development hereby approved, and following the approval of the first stage Written Scheme of Investigation referred to in condition 25, a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

Reason - In order to determine the extent, character and significance of the surviving remains of archaeological interest and to safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

29. Prior to the commencement of the development, 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 Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

30. No removal of hedgerows, trees or shrubs, shall take place between the 1st March and 31st August inclusive, unless the Local Planning Authority has confirmed in writing that such works can proceed, based on the submission of a recent survey (no older than one month) that has been undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site.

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

31. Prior to the first use of the road infrastructure hereby approved, a Landscape and Ecology Management Plan (LEMP) covering areas to be offered for adoption until such time that the land is adopted and land outside of the adoptable area shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the 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 Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

32. Prior to the commencement of the development a Site Waste Management Plan, targeting zero waste to landfill, shall be submitted to and approved in writing by the Local Planning Authority. The approved Site Waste Management Plan shall thereafter be implemented in accordance with the approved details.

Reason - to ensure the appropriate management of waste in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework

33. The development shall be constructed to meet a minimum of CEEQUAL Standard 'Very Good'.

Reason – To ensure the development achieves a reduced carbon footprint in accordance with Planning Policy Statement 1: Eco Towns.

Planning notes

1. The applicant is advised that at the time that reserved matters applications are submitted for development surrounding the road hereby approved, it is considered likely that further informal crossing points will be required along the route to aid pedestrian and cycle movements. It is expected that at that time and once it can be established where such crossing points may be required, that these will be provided in accordance with details to be approved through those future reserved matters applications.
2. No materials, plant, temporary structures or excavations of any kind, should be deposited / undertaken on or adjacent to the Public Right of Way/ Bridleway (Route Codes 129/9 and 148/4) which crosses the site, other than the development directly affecting the Public Right of Way/ Bridleway set out in the plans accompanying the application, that may obstruct or dissuade the public from using the public right of way whilst development takes place.

OXFORDSHIRE COUNTY COUNCIL'S RESPONSE TO CONSULTATION ON THE FOLLOWING DEVELOPMENT PROPOSAL

District: Cherwell

Application no: 14/01968/F

Proposal: Construction of new road from Middleton Stoney Road roundabout to join Lord's Lane, east of Purslane Drive, to include the construction of a new crossing under the existing railway line north of the existing Avonbury Business Park, a bus only link east of the railway line, a new road around Hawkwell Farm to join Bucknell Road, retention of part of Old Howes Lane and Lord's Lane to provide access to and from existing residential areas and Bucknell Road to the south and a one way route northbound from Shakespeare Drive where it joins with the existing Howes Lane with priority junction and associated infrastructure

Location: Twenty Ha Of Land Proposal Of New Highway Aligned With Howes Lane Bicester

Purpose of document

This report sets out Oxfordshire County Council's view on the proposal.

This report contains officer advice in the form of a strategic localities response and technical team response(s). Where local member have responded these have been attached by OCCs Major Planning Applications Team (planningconsultations@oxfordshire.gov.uk).

District: Cherwell

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Location: Twenty Ha Of Land Proposal Of New Highway Aligned With Howes Lane Bicester

Officer's Name: Lisa Michelson

Officer's Title: Locality Manager

Date: 11 February 2016

District: Cherwell

Application no: 14/01968/F

Proposal: Construction of new road from Middleton Stoney Road roundabout to join Lord's Lane, east of Purslane Drive, to include the construction of a new crossing under the existing railway line north of the existing Avonbury Business Park, a bus only link east of the railway line, a new road around Hawkwell Farm to join Bucknell Road, retention of part of Old Howes Lane and Lord's Lane to provide access to and from existing residential areas and Bucknell Road to the south and a one way route northbound from Shakespeare Drive where it joins with the existing Howes Lane with priority junction and associated infrastructure

Location: Twenty Ha Of Land Proposal Of New Highway Aligned With Howes Lane Bicester

Transport

Recommendation:

Objection

Objection is made on the basis of the comments below. It is anticipated that with further work on the design, most of these these objections could be overcome.

However, we consider that some further work is required to demonstrate that the signalised junctions, as designed, would provide sufficient capacity on the A4095 corridor. If the capacity is found to be insufficient, , addressing this may require significant changes to the design. This may be problematic to overcome.

Key issues:

The Highway Authority's response to the original application was that we had no objection to the road in principle but that (as this is a full application) more detail was required in order us to give it full consideration. The amended application includes significantly more detail, as well as specific changes which are set out in the TA Addendum. These changes include moving junction 3 which has had the result of creating an additional (priority junction) between junction 3 and Shakespeare Drive. We support this as it will help to reduce the attractiveness of Shakespeare Drive to drivers as a cut-through from Middleton Stoney Road. The changes also include the introduction of bus half laybys at the stops adjacent to the neighbourhood centre have been introduced, which will help traffic flow.

Other than the point about the signalised junctions mentioned above, there are a number of issues with the design, which it should be possible for the developer to address. These are listed below, with further detail provided in the detailed comments

- Lack of informal crossing opportunities
- Bus stops in wrong places
- Insufficient visibility splays at some junctions
- Trees in vis splays at main junctions
- No detail regarding visibility at junction onto Bucknell Road
- Access into neighbourhood centre near junction 2 not shown
- Issues with SUDS detail
- Lack of footway east of Junction 6
- Red line does not include flare at junction 3

- Enforcement of bus only lane
- Tracking not provided – full range of vehicles at junctions, and buses along relevant part of Bucknell Road link road.
- Ellipses at junctions – detail not suitable.

Legal agreement required to secure:

Road adoption and works to the Public Highway are subject to agreement with the Local Highway Authority under Sections 38 and 278 of the Highways Act.

In line with arrangements at the Exemplar Site, a contribution will be required to cover CCTV for future enforcement of the bus only lane.

The developer will be required to use best endeavours to agree bus shelter specification with Bicester Town Council and obtain its written confirmation that it agrees to take on the shelters' maintenance, with commuted sums provided by the developer.

A contribution will be required to cover the cost of real time information, and flagpoles at each bus stop.

Conditions:

The following should be required by condition

- Phasing plan, to include details of bus route and turning arrangements – the trigger should be related to completion of homes across NW Bicester, allowing sufficient time for discussion and approval.
- Construction traffic management plan
- Drainage strategy including strategy for swale crossings

Detailed comments:

Lack of informal crossing points: I am concerned that the plans show insufficient opportunities to cross the road – this includes the Bucknell Road Link Road. Without understanding fully the surrounding land uses, it is difficult to tell where these crossings will be required, but as there are lengthy stretches between junctions, it is fair to say that people will feel frustrated at not being able to cross on their desire lines, due to the barrier of the verge and swale. As a result safety risks will be taken. Suitable crossing points with refuges and swale crossings should be introduced between each signalised junction and particularly near the secondary school between junctions 2 and 3. At priority junctions on the Bucknell Road link road part of the application the footway should continue around the corner and provide tactiles to allow people to cross on the desire line. Particular attention should be paid in the vicinity of the primary school.

The informal crossing point east of the flood compensation area shown in GA sheet 1 should include a refuge, due to the volumes of traffic.

Bus stops in wrong places : The bus stop positions indicated do not meet the needs of the intended bus circulation loops and the need for people to access the local centre at The Cross. I have annotated the bus stop location plan (attached) to show the required positions, which are based on our original input on the masterplan. They allow for the two bus loops which originate from Bucknell Road – one to the north and one to the south of the railway, the latter which makes a loop via junctions 3 and 1.

Bus stops must be RTI enabled. The developer will be required to use best endeavours to agree bus shelter specification with Bicester Town Council and obtain its written confirmation that it agrees to take on the shelters' maintenance, with commuted sums provided by the developer. A contribution will be required to cover the cost of real time information, and flagpoles at each bus stop.

Insufficient visibility splays at some junctions: As previously stated, DMRB visibility splays (90m y-distance for 30mph) are to be applied, including on the Bucknell Road link road. The roads will not have the direct frontages which would give them the characteristics of residential streets required for MfS visibility splays to be applied. Some junctions are showing MfS vis splays. Vis splays must be kept clear of trees and vegetation growing to more than 600mm, and land within vis splays will need to be offered for adoption.

Visibility splays at main junctions: Visibility splays are required from side roads onto the main road, but they have been marked from behind stop lines for the traffic signals. They are required in case traffic signals fail. In practice drivers would drive up to a notional give way line, i.e. cross the stop line, to check whether it was safe to proceed, so the vis splay need not be as onerous. However, I note that there are trees within the marked vis splays - there must be no trees within the revised vis splays. On the other hand the intervisibility zone at traffic signals has not been marked – this must be in line with TD50-04 and kept clear of obstruction. I note that trees are marked on the corners of Junction 1, which would not be acceptable.

Junction of Bucknell Road link road and Bucknell Road: No details are provided for this access. A general arrangement drawing must be supplied, showing appropriate visibility splays for the existing speed limit.

Access into neighbourhood centre near junction 2: this is not shown and needs to be shown, so that it can be considered as part of the design. Gaps in the swale/verge are shown, but it is not clear what these are, as there are street lights within the gaps

SUDs detail: 3016-UA005241-02 is acceptable in principle, subject to a drainage strategy to explain how it works. However, we are not happy with 3020-UA005241-02 Landscape detail hard swales. The Charcon elite deterrent paving to define the carriageway edge is not really suitable. In most locations a white ribbed line is adequate to warn a motorist that they are at the edge of the carriageway. Deterrent paving is fine for low speed roads as occasional overrun so two vehicles can pass or a lorry to run over at a mini-roundabout. I am also not keen for there to be a drop off the carriageway edge into a gravel filled trench. If this was located say a metre off the edge with a verge in between I would feel more comfortable.

Lack of footway east of junction 6: Onward walking routes towards Banbury Road need to be demonstrated.

Tracking (swept path of vehicles) drawings not provided: We have previously stated that 10-metre corner radii would need to be provided on the main road junctions. Radii have not been marked on the drawings, but in any case, we need to see tracking for large refuse vehicles and HGVs for all movements at all the junctions, to ensure that they do not overrun footways or refuges, in the interests of pedestrian safety and avoiding damage to infrastructure. Bus tracking (Euro 300) is required at junctions 5, 3 and 1.

Enforcement of bus only link: It is unclear how the bus only link will be enforced. Appropriate traffic orders and signage must be in place, but in the absence of de-criminalised parking enforcement in Cherwell district, design should be considered that effectively makes

the link self-enforcing. Further, a sum of money is required to provide CCTV in the future if required, as is the case with the Exemplar site. Ducting must be provided to allow for this.

Proposed detail at junction Elipses: this is considered to be too costly to maintain and therefore would not be adopted. As the land within visibility splays must be adopted this is unacceptable. Adoptable options would include blockwork or grass.

Signalised junctions: Given that the proposals include five signalised junctions and three signalised crossings for non-motorised users, there is the potential for significant delays if the junctions do not run efficiently. LinSig modelling reports were supplied with the original application TA, which predicted that none of the junctions are likely to have unacceptable queues in 2031, and in particular that none of the queues on the strategic road would be long enough to back up to the preceding junction. However, it is our view that this modelling does not provide sufficient certainty that the succession of signalised junctions would not lead to problematic congestion. Strategic model data for flows between transport model zones has been used for inputs to the junction, which is incompatible with the level of detail needed to model the junction capacity in LinSig. To overcome this, we believe that some further sensitivity testing should be carried out. Additionally, there is a need to give more consideration to how the junctions work together, rather than individually. . The signals must be intelligently linked to ensure traffic flow along the corridor. Signal operation is to be MOVA (Microprocessor Optimised Vehicle Actuation) with SCOOT (Split Cycle Offset Optimisation Technique) takeover. SCOOT will utilise the MOVA in-loop except where flare lanes require an additional SCOOT loop. The modelling shows that the junctions are running with different cycle times, which may not be compatible with running SCOOT. Signals installation work must include full validation of both systems by experienced staff with an OCC signal engineer in attendance. CCTV will be required along the corridor to allow OCC to monitor the junctions and take action if necessary.

Other points to note (including comments previously mentioned during pre-app discussions):

- Road Safety Audits will need to be carried out
- Street lighting will need to be in line with relevant British Standard as well as the equipment and location approved by OCC. Street Lighting columns to be positioned to avoid conflict with other aspects such as trees (i.e. no trees within 5m of a column) and drainage (all electrical equipment should be kept separate from drainage or SUDS)
- Filter and merge lanes will need to be in line with the DMRB and be taken into account in the traffic data
- Any areas of existing Highway that will become unused, if the plan is to Stop Up and revoke Highway Status this is significantly more straight forward to do during the Planning Process oppose to retrospectively Stopping Up.
- Highway drainage system will need to be reviewed and agreed by OCCs Drainage team, if a separate system will be used for highway surface water (i.e. not a combined system) then OCC would look to adopt the drainage system
- Stop lines, signal heads (ideally traffic loops) and signage should all fall within the adoptable area
- In order for us to entertain adopting sections of road (either due to phases or limit of adoption) it must be proven that a refuse vehicle can turn around using some form of a turning head
- Where gradients drop adjacent to a footway/cycleway/carriageway that is to be adopted, the embankment supporting the adopted area needs to be adopted and there must be a flat section of 500mm before the gradient starts. Max gradient to be used in adopted area is 1:3

- Junction radii should be 9m+, 6m can be used on small residential roads and in any case need to be proven by tracking
- Controlled pedestrian crossings will be subject to public consultations by our Traffic Team
- Works proposed to existing Howes Lane unknown at this point
- Tracking and forward visibility would be required at all junctions in particular when connecting to Middleton Stoney roundabout (204-UA005241-01)
- Controlled crossings will require surfacing with a high PSV value (traffic speed and volume will determine if a specified anti-skid is required or an alternative material can be used). This needs to be thought about before agreeing surfacing and the cosmetic look as highway safety will take precedent
- Trees in close proximity to adopted area will need to be approved by OCC and if remain private should not overhang highway. If adopted then again approved by OCC and will attract a Commuted Sum
- In the interests of reducing speeds, consideration should be given to removing the centre line where appropriate.

In addition to any requirements for planning permission, the above designs and subsequent construction must comply with the requirements of the Local Highway Authority and will be subject to relevant specifications, technical audit, inspection and road safety audit as part of the Section 38 / 278 process.

Structures

Full outline details of any proposed highway structures (including retaining walls, culverts, bridges and footbridges) must be submitted to the County Bridges Team to determine the extent of approvals required.

Where structures are proposed for adoption, including those which will support the Public Highway, the processes set out in BD 2/12 - Technical Approval of Highway Structures shall be followed. An Approval in Principle, Design and Check Certificates and Construction Compliance Certificates may be required for each individual structure. Similar processes shall be followed to ensure the integrity of any existing Highway Structures where they may be affected by the development proposals.

Technical Approval will also be required for any structures constructed on private land, including walls and basements, which affect the support of the Highway.

The design of any structures proposed for adoption shall ensure that dedicated access routes are provided to all parts of the structure and that easements are incorporated to provide a maintenance strip around the structure perimeter.

Technical Approval will be required prior to the commencement of any site-work. Comprehensive "As Built" details and a Health & Safety File for each completed structure to be adopted should be submitted subsequently.

A Commuted Sum will be payable for each adopted structure to reflect the estimated whole life cost incurred by the County Council for inspecting, maintaining and ultimately replacing the structure.

Drainage

A full surface water drainage design with full calculations must be submitted and approved by the Lead Flood Authority (Oxfordshire County Council) prior to the development commencing on site. There is history of flooding to properties to the south east of Howes Lane and

therefore it essential that the development does not increase the flow to the existing culverts under Howes Lane going towards the existing housing estate.

Officer's Name: Joy White

Officer's Title: Principal Transport Planner

Date: 11 February 2016

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15th February 2016

Dear Jenny

Application by A2 Dominion for Land off Middleton Stoney Road, Bicester

Ref: 14/019068/F

I refer to the above planning application. Notice has been served on my Clients, Messrs Bonner, as part owners of the land. The LPA must take into account these representation in the determination of this application. (Article 33 TCP (Development Management) Procedure Order 2015). As such I envisage that this correspondence will be presented to the Committee.

The Report states at paragraph 5.5:-

'... application 14/01675/OUT (Albion Land proposal) (also) includes land within the red line, the rest of the land required for the realignment of the road'.

The report does not address the delivery of the road. It should be drawn to the attention of the Committee that the realignment of Howes Lane cannot be delivered in the absence of a satisfactory planning permission for the redevelopment of my Clients' land.

The Report states at paragraph 5.83:-

'The infrastructure that this proposal provides is key to the delivery of the wider site and the other applications across the site need to be linked to the timing of this to support the masterplan approach to delivery'.

Presently, in the absence of satisfactory determination of planning application 14/01675 my Clients are not in a position to provide any assurance as to when land may be made available for the realignment of Howes Lane. As a consequence there may well be delays in the delivery of the Master Plan.

Yours sincerely

Simon Harris



14/02121/OUT

Conditions

Time Limits

1. No development shall commence on any phase until full details of the layout, scale, appearance, access and landscaping (hereafter referred to as reserved matters) have been submitted to and approved in writing by the Local Planning Authority.

Reason - This permission is in outline only and is granted 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 4 of the Town and Country Planning (General Development Procedure) Order 2010 (as amended).

2. In the case of the reserved matters, application for approval shall be made for the first residential phase of development not later than the expiration of five years beginning with the date of this permission.

Reason - This permission is in outline only and is granted 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 4 of the Town and Country Planning (General Development Procedure) Order 2010 (as amended).

3. In the case of all other reserved matters, in respect of subsequent phases, application for approval shall be made not later than the expiration of seven years beginning with the date of this permission.

Reason - This permission is in outline only and is granted 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 4 of the Town and Country Planning (General Development Procedure) Order 2010 (as amended).

4. The development to which this permission relates shall be begun not later than the expiration of two years from the approval of the first residential phase reserved matter and for all other matters two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the last reserved matters to be approved.

Reason - This permission is in outline only and is granted 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 4 of the Town and Country Planning (General Development Procedure) Order 2010 (as amended).

5. Except where otherwise stipulated by condition, the development shall be carried out in broad accordance with the following plans and documents:
 - Site Boundary Parameter Plan (drawing number 592-PL-101 Rev B);
 - Demolitions Parameter Plan (drawing number 592-PL-102 Rev B);
 - Land Use Parameter Plan 4 (drawing number 592-PL-103 Rev E);
 - Building Heights Parameter Plan 5 (drawing number 592-PL-104 Rev D);

- Density Parameter Plan 6 (drawing number 592-PL-105 Rev D);
- Landscape Parameter Plan 3 (drawing number 592-PL-106 Rev C);
- Movement and Access Parameter Plan (drawing number 1665/75/04);
- SUDs Parameter Plan (drawing number 1665/75/05 Rev B);
- Document titled 'Storage Attenuation Volumes of Primary Swales (1665/76) dated July 2015;
- Tree Survey Report – document reference EED14995-100-R-7-1-3-TA dated January 2015 and accompanying appendices;
- Sustainability and Energy Statement – document reference PENL2003 dated 17 December 2014
- Surface Water Drainage Strategy and Flood Risk Assessment dated December 2014 and all additional correspondence relating to Drainage and Flood Risk.

Reason - For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and to comply with Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development hereby approved, a phasing plan covering the entire site the subject of this application, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter each reserved matters application shall refer to a phase, phases, or part thereof identified in the approved phasing plan and development shall proceed in accordance with the approved phasing.

Reason: To ensure the proper phased implementation of the development and associated infrastructure in accordance with Government guidance contained within the National Planning Policy Framework.

7. No more than 1700 dwellings falling within Use Class C3 shall be constructed on the site.

Reason: To ensure that the significant environmental effects arising from the development are mitigated, as set out in the Environmental Statement, and sustainable development is achieved in accordance with Government guidance contained within the National Planning Policy Framework.

8. No more than 100 dwellings falling within Use Class C2 shall be constructed on the site.

Reason: To ensure that the significant environmental effects arising from the development are mitigated, as set out in the Environmental Statement, and sustainable development is achieved in accordance with Government guidance contained within the National Planning Policy Framework.

9. No more than a total of 8,000sqm floor space shall be provided for the mixed uses set out in Table 1 and each use shall not exceed the maximum Gross Internal Area for each specified use. These uses shall only be provided within the areas of the site annotated for 'Other Uses and 'Social/ Community' on 'Land Use Parameter Plan 4' drawing number 592-PL-103 Rev E.

Table 1

Land Use	Maximum GIA (sqm)
Hotel (Class C1)	2,600sqm

Veterinary surgery (Class D1)	2,000sqm
Pub/ Community (Classes A4/ D1)	400sqm
Retail (Classes A1, A2, A3, A4, A5)	700sqm
Office (Class B1)	1,000sqm
Health facility (Class D1)	1,500sqm
Nursery (Class D1)	100sqm
Energy Centre (Sui Generis)	375sqm
Water treatment plant (Sui Generis)	450sqm

The approved uses shall remain within the Use Classes set out above as specified in the Schedule to the Town and Country Planning (Use Classes) (Amendment) (England) Order 2005 and for no other purpose(s) whatsoever.

Reason: To ensure that the significant environmental effects arising from the development are mitigated, as set out in the Environmental Statement, and sustainable development is achieved in accordance with Government guidance contained within the National Planning Policy Framework.

10. No individual retail unit shall exceed 150m² in gross floor internal area with the exception of a single unit of a maximum of 300m² for a convenience store. Thereafter retail units shall not be amalgamated such that any individual unit exceeds 150m² or 300m² respectively.

Reason: To ensure the scheme meets local retail needs in accordance with Government guidance contained in the Eco Towns PPS and the National Planning Policy Framework.

Design

11. Prior to the commencement of the development, an Urban Design Framework shall be submitted to and approved in writing by the Local Planning Authority. The Urban Design Framework shall set out the urban design approach for the site to include a regulating plan and supporting information to include;
- Details to provide continuity with adjacent development
 - Key approaches to deliver sustainable development that as a minimum meets the Eco Town PPS standards
 - Character areas for built form and green spaces and their key features
 - Indicative block size, structure and permeability
 - Movement network and streetscape including bus routes and stop locations
 - Public realm
 - Density and open space
 - Building heights
 - Key views, vista, landmarks, landscape character, trees and retained hedges
 - Legibility and diversity of built form and landscape
 - Adaptability
 - Play provision in accordance with Adopted Cherwell Local Plan Policy BSC 11

No reserved matters shall be submitted until the urban design framework has been approved in writing by the Local Planning Authority. All reserved matters applications

and development shall thereafter be in accordance with the approved Urban Design Framework.

Reason: To secure the delivery of high quality sustainable development in accordance with Government guidance contained within the National Planning Policy Framework.

12. Prior to the commencement of the development, a detailed masterplan for the area fronting the Middleton Stoney Road annotated as 'Other Uses' on Land Use Parameter Plan 4 drawing number 592-PL-103 Rev E, has been submitted to and approved in writing by the Local Planning Authority. The area shall then be developed in accordance with the approved masterplan and phasing plan. The masterplan shall show the location of each of the land uses, access and parking locations, key frontage and public space conditions and landscape principles.

Reason: To ensure the creation of a high quality design for the local centre in accordance with Government guidance in the NPPF.

13. Prior to the submission of the first reserved matter in each of the character areas containing built form, identified in the approved Urban Design Framework, a design code shall be provided for the whole of that character area which shall include;
- Street types, materials and details
 - Block Principles
 - Landscape, materials and details
 - Boundary treatments
 - Building types and Uses
 - Building heights
 - SUDS, parks and open spaces
 - Building Materials and Details
 - Highway design details
 - Parking Strategy

No reserved matters shall be submitted for that character area until the design code has been approved in writing by the Local Planning Authority. The development in the character area shall thereafter be in accordance with the approved design code.

Reason: To secure the delivery of high quality sustainable development in accordance with Government guidance contained within the National Planning Policy Framework.

14. Each reserved matter submission for built development shall be accompanied by details showing how Building for Life 12 has been used to inform the design process and that the scheme achieves Built for Life™.

Reason: To secure the delivery of high quality sustainable development in accordance with Government guidance contained within the National Planning Policy Framework.

15. In accordance with the parameter plans hereby approved, the following shall be provided:
- A 20m Green Infrastructure strip (which shall not include residential gardens) shall be provided to the west of the boundary with Lovelynych House;
 - A 20m 'no build' buffer shall be provided to the north of the boundary with Lovelynych House;

- A 30m 'no build' buffer (narrowing to a 20m along the northern section of the eastern boundary) shall be provided to the east of the boundary with Lovelynch House. This buffer shall include a 10m hedgerow buffer.

Reason - To safeguard the privacy and amenities of the occupants of the adjoining premises and to comply with Policy C30 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Dwellings

16. Prior to the submission of a reserved matters application for residential development, a schedule of the market housing, to be provided to meet local housing needs, in each phase of the development shall be submitted to and approved in writing by the Local Planning Authority. The market housing shall thereafter be provided in accordance with the approved schedule (and detailed reserved matter approval) unless otherwise agreed in writing by the Local Planning Authority.

Reason - To secure the delivery of high quality housing to meet local needs in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

17. All dwellings shall be provided with real time energy and travel information prior to occupation unless otherwise agreed in writing by the Local Planning Authority. Details for each phase shall be submitted to the Local Planning Authority and agreed in writing prior to the commencement of construction of dwellings.

Reason: To support the delivery of modal shift towards sustainable modes and create high quality, inclusive, sustainable development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

18. Each reserved matter application submission shall be accompanied by a statement setting out how the design of buildings and the layout has taken account of future climate impacts, as identified in TSB research 'Future Climate Change Risks for NW Bicester', or any more recent assessment that has been published, and how the proposed development will be resilient to overheating, changing rainfall patterns and higher intensity storm events.

Reason: To address the impacts of climate change in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

19. Prior to the commencement of each phase, those areas of the site that are subject to elevated levels of noise, principally from road traffic sources as set out in the Environmental Statement, shall be identified and the dwellings that are constructed in these areas must be designed and constructed in such a manner that they contain elements of sound insulation that will ensure that the internal noise levels contained within BS 8233:2014 Table 4 can be achieved.

Reason: To ensure that properties are not subject to high levels of noise in accordance with Government guidance contained within the National Planning Policy Framework.

20. Noise levels from any mechanical plant and the energy centre shall not exceed the noise emission limits contained within table 10.15 of the Environmental Statement.

Any reserved matters submission for the energy centre or for development that will include mechanical plant shall include details of how the noise emission limits for that development will be met.

Reason: To ensure that noise remains within acceptable levels in accordance with Government guidance contained within the National Planning Policy Framework.

Phase conditions

21. All phases of development shall be provided with high speed broad band (not less than 100mbs); such that on occupation of each building on the phase the occupiers can secure a high speed broad band connection.

Reason: To facilitate information provision to homes for energy monitoring, travel and home working change in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

22. No development shall commence on construction of any development approved by a reserved matter until a report has been submitted outlining how carbon emissions from the construction process and embodied carbon have been minimised. No work shall commence until the report has been approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the plan.

Reason: To ensure the development achieves a reduced carbon footprint in accordance with Planning Policy Statement 1: Eco Towns.

Transport

23. No development shall commence until the construction of the Howes Lane/Lords Lane realignment approved under application 14/01968/F has commenced. No part of the development shall be occupied until the Howes Lane/Lords Lane realignment has been completed and is open to vehicular traffic.

Reason - Oxfordshire County Council as Highway Authority have advised that there is a need for a restriction on the quantum of development that can occur in North West Bicester prior to the opening of the Howes Lane/Lords Lane realignment. The maximum traffic that can be accommodated is a total of 900 homes (including 393 at Elmsbrook) and 40% of the proposed overall 10 hectares of employment land. Without the realignment, the highways impact of development over the identified capacity would be severe. A restriction on development is therefore necessary until such time that the tunnel is in place and open to vehicular traffic to mitigate the impact of traffic from the development in accordance with Government Guidance within the Eco Towns PPS and the National Planning Policy Framework. On the basis that the developers of the land propose to construct the Howes Lane/Lords Lane realignment, and for reasons of sustainability, the existing available capacity is safeguarded for the land to the north of the railway line.

24. The Reserved Matter submissions for any phase shall include full details of the means of vehicular accesses between the land and the highway, including, position, layout, construction, drainage and vision splays. 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 contained within the National Planning Policy Framework.

25. The Reserved Matter submissions for any phase shall include full details of the means of footway and cycleway links between the land and the local highway network, including, position, layout, construction, drainage and street lighting. Thereafter, the means of footway and cycleway links shall be constructed and retained in accordance with the approved details.

Reason - In the interests of highway safety and to comply with Government guidance contained within the National Planning Policy Framework.

26. The pedestrian and cycle routes shall be signed in accordance with details to be submitted to and agreed in writing by the Local Planning Authority prior to the first occupation of any dwellings. The signage shall then be provided for each route prior to its first use.

Reason To support sustainable travel in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy.

27. No development shall commence on a phase until a Construction Traffic Management Plan providing full details of the phasing of the construction of that phase has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority). This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during the peak traffic periods and an agreed route for HGV traffic to the development site. The approved Plan shall be implemented in full during the entire construction period of the phase.

Reason – In the interests of highway safety and to safeguard the residential amenities of local residents in accordance with Government Guidance in the NPPF.

28. Each reserved matter application submission shall be accompanied by a Travel Plan setting out how the development will enable at least 50 per cent of trips originating within the development to be made by non-car means, with the potential for this to increase over time to at least 60 per cent, in accordance with the Eco Towns PPS ET 11.2 (a). The Travel Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to any occupations and the actions of the travel plan shall thereafter be delivered in accordance with the Travel Plan.

Reason: To ensure sustainable travel in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

Contamination

29. Prior to the commencement of the development hereby permitted a desk study and site walk over to identify all potential contaminative uses on site, and to inform the conceptual site model shall be carried out by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and shall be submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval that it is satisfied that no potential risk from contamination has been identified.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite

receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

30. If a potential risk from contamination is identified as a result of the work carried out under condition [29], prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

31. If contamination is found by undertaking the work carried out under condition [30], prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

32. If remedial works have been identified in condition [31], the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition [31]. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

Reason - To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy ENV12 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

33. Piling or any other foundation designs using penetrative methods within any area identified as being subject to risk from contamination shall not be permitted other than with the express written consent of the Local Planning Authority, which may be

given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater quality. The development shall be carried out in accordance with the approved details.

Reason: To ensure that piling or deep foundations do not mobilise any contamination which may be present on site in order to ensure that controlled water quality is protected as required by PPS1 Policy ET17 and the NPPF.

34. If, during development, contamination not previously identified is found to be present at the site then no further development (unless otherwise agreed in writing with the local planning authority) shall be carried out until a remediation strategy has been submitted to the local planning authority. The remediation strategy shall detail how this unsuspected contamination shall be dealt with and written approval from the local planning authority shall be obtained. The remediation strategy shall be implemented as approved.

Reasons: To ensure that any unexpected contamination encountered is dealt with, such that it does not pose an unacceptable risk to controlled water quality as required by PPS1 Policy ET17 and the NPPF.

35. The development hereby permitted shall not be commenced until such time as a pollution prevention scheme to dispose of contaminated surface water has been submitted to, and approved in writing by, the local planning authority. The scheme shall be implemented as approved.

Reason - Run off from roads and areas associated with lorry and car parking areas may contain elevated levels of contaminants. Drainage from these areas could contaminate controlled waters. Details of the surface water drainage arrangements which outlines how any contamination risks will be mitigated is required to ensure controlled water quality is protected as required by Local Plan Policy Bicester 1 and the NPPF.

Biodiversity

36. No development shall commence on a phase unless or until an up to date ecological survey has been undertaken to establish changes in the presence, abundance and impact on bio diversity. The survey results, together with any necessary changes to the mitigation plan or method statement 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 details.

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

37. The retained hedges shall have a buffer a minimum of 20m in width comprising of 10m either side of the retained hedge except where they form part of a dark corridor where the buffers shall extend to a minimum width of 40m comprising of 20m either side of the retained hedge, and the woodlands shall have a buffer around their perimeter a minimum of 10m in width when measured from the canopy edge, unless otherwise agreed in writing by the Local Planning Authority. The hedge and woodland buffers shall be maintained as public open space and managed to maintain and create bio diversity.

Reason: To protect biodiversity and historic landscape features in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

38. No development shall commence on any phase until details of any existing hedgerow, or part thereof, to be removed, and proposals for creation of new compensatory hedgerow, have been submitted to and approved in writing by the Local Planning Authority. The compensatory hedgerow shall be provided in accordance with the approved details.

Reason: To protect biodiversity and historic landscape features in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

39. No development shall commence on any phase until a scheme for the provision of protective fencing, to prevent damage during construction, for the retained hedgerows, trees, woodlands, ponds and areas of green space, has been submitted to and approved in writing by the Local Planning Authority. The approved fencing shall be installed in accordance with the approved plans prior to work commencing on site.

Reason: To protect biodiversity and historic landscape features in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

40. A protection area for Newts, a minimum of 50m in circumference, around the two ponds on the site and the land between them shall be provided in accordance with that shown on 'Landscape Parameter Plan 3' drawing number 592-PL-106 Rev C. No removal of suitable aquatic and terrestrial habitat within 250m of the breeding ponds shall be carried out unless otherwise agreed in writing by the Local Planning Authority.

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

41. Prior to the submission of reserved matters a Bio Diversity Strategy for the site shall be submitted and approved in writing by the local planning authority. Each reserved matter application submission shall be accompanied by a statement setting out how the proposed development will contribute to achieving the Bio Diversity Strategy and net biodiversity gain. The development shall be carried out in accordance with approved the biodiversity statement.

Reason: To secure net biodiversity gain in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

42. No development shall commence on any phase until a Landscape & Habitat Management Plan (LHMP) for that phase detailing both management and monitoring proposals for green space (excluding building curtilages) has been submitted to and approved in writing by the Local Planning Authority and thereafter the LHMP shall be implemented in accordance with the approved details.

Reason: To secure net biodiversity gain in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

43. No development shall commence on any phase until a Construction Environment Management Plan (CEMP), which shall include details of the measures to be taken to ensure construction works do not adversely affect the existing biodiversity of the site and residential properties on, adjacent to or surrounding the site together with details of the consultation and communication to be carried out with local residents has been submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with approved CEMP.

Reason - To ensure the environment is protected during construction in accordance with Policy ENV1 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

44. No development shall commence on any phase until a Soil Resources Plan that details the soils present, proposed storage locations, handling methods and locations for reuse, shall be submitted to and approved in writing by the local planning authority and thereafter the development shall be carried out in accordance with the approved plan.

Reason: To ensure the soil resource is managed on site in accordance with Adopted Cherwell Local Plan policy Bicester 1.

45. No development shall commence on any phase until details of existing and proposed levels for that phase have been submitted to and approved in writing by the local planning authority. The development shall thereafter be carried out in accordance with the approved levels.

Reason: To ensure high quality design and sustainable development in accordance with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

46. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions including details of tree protection shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS with all tree protection erected prior to development commencing on that phase.

Reason – To ensure the continued health of retained trees/hedges and to ensure that they are not adversely affected by the construction works, in the interests of the visual amenity of the area, to ensure the integration of the development into the existing landscape and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

Archaeology

47. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage 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 and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework

48. Prior to any demolition on the site (other than in accordance with the agreed Written Scheme of Investigation) and prior to the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [45], a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

Reason - In order to determine the extent, character and significance of the surviving remains of archaeological interest and to safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework.

Outdoor Sport (The requirement for these conditions is being checked with Sport England)

49. No development shall commence until details for the phasing of the provision of the sports pitches has been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The development hereby permitted shall not be carried out other than in accordance with the approved details.

Reason: To ensure the satisfactory quantity, quality and accessibility of sports facility provision for the occupiers of the proposed development and to accord with Cherwell Local Plan Policy R12 and Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

50. No development shall commence on a phase until details of the design and layout of the sports facilities serving that phase have been submitted to and approved in writing by the Local Planning Authority [after consultation with Sport England]. The sports facilities shall not be constructed other than substantially in accordance with the approved details.

Reason: To ensure the development is fit for purpose and sustainable and to accord with Cherwell Local Plan Policy R12 and with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework

51. The playing field/s and pitch/es shall be constructed and laid out in accordance with the standards and methodologies set out in the guidance note "Natural Turf for Sport" (Sport England, 2011), and shall be made available for use in accordance with the agreed phasing unless agreed in writing by the Local Planning Authority.

Reason: To ensure the quality of pitches is satisfactory and they are available for use and to accord with Cherwell Local Plan Policy R12 and with Government guidance contained within the Eco Towns PPS and National Planning Policy Framework.

Drainage

52. Development should not be commenced until Impact studies of the existing water supply infrastructure have been submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

Reason: To ensure that the water supply infrastructure has sufficient capacity to cope with the/this additional demand.

53. Development shall not commence until a foul drainage strategy for conveyance and treatment, detailing any on and/or off site drainage works, has been submitted to and approved by, the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. No dwelling shall be occupied until the foul drainage has been provided in accordance with the approved strategy.

Reason - The development may lead to sewage flooding; to ensure that sufficient capacity is made available to treat and convey foul flows from the new development; and in order to avoid adverse environmental impact upon the community and water environment (as required by ET17 of PPS1).

54. Prior to the submission of any reserved matters, a full surface water strategy for the application site, in accordance with the Flood Risk Assessment accompanying this application, shall be submitted to and approved in writing by the Local Planning Authority (in consultation with Oxfordshire County Councils Drainage Team & Natural England). The development shall be carried out in accordance with the approved Drainage Strategy.

Reason - To mitigate the risk of surface water flooding, protect water quality and biodiversity on the site and to protect the adjacent railway in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework

55. In addition to the site wide detailed surface water drainage strategy, each Reserved Matters application shall be accompanied by a detailed surface water drainage scheme, to meet the flood risk, water quality, green infrastructure and biodiversity requirements of the site. The detailed surface water drainage scheme shall be in compliance with the approved Flood Risk Assessment, Surface Water Drainage Strategy and the Masterplan Surface Water Drainage Strategy and the approved site wide detailed surface water drainage strategy. No development shall commence until the detailed reserved matter surface water drainage scheme has been approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved scheme.

Reason: To mitigate the risk of surface water flooding, protect water quality and biodiversity on the site in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework

56. The development shall be constructed so as to achieve a demand for potable water that does not exceed 80 l/p/d and details of measures to be used to achieve this demand shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of the development. The development shall be carried out in accordance with the details so approved.

Reason: The site is located in an area of water stress and to comply with Government guidance contained within the Eco Town PPS.

57. Prior to the commencement of development, details of the strategy to reach the aspiration of water neutrality, in accordance with the Eco Towns PPS shall be submitted to and approved in writing by the local planning authority prior to the commencement of development. The development shall thereafter be carried out in accordance with the approved strategy.

Reason: The site is located in an area of water stress and to comply with Government guidance contained within the Eco Town PPS.

Employment

58. All non residential buildings shall be constructed to BREEAM Excellent.

Reason: To ensure sustainable buildings in accordance with Government guidance contained in the Eco Towns PPS and the National Planning Policy Framework.

Waste

59. Prior to the commencement of a phase a Site Waste Management Plan, targeting zero waste to landfill, shall be submitted to and approved in writing by the Local Planning Authority. The approved Site Waste Management Plan shall thereafter be implemented in accordance with the approved details.

Reason - to ensure the appropriate management of waste in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework.

60. No waste shall be brought to the site for the purpose of use within any future energy centre.

Reason - to ensure the appropriate management of waste in accordance with Government guidance contained within the Eco Town PPS and the National Planning Policy Framework.

Notes to Applicants

1. If a deliverable interim solution is identified, permitted and funded that would enhance the capacity of the existing Howes Lane/Bucknell Road and Lords Lane/Bucknell Road junctions then the Council will be open to a section 73 application to amend this condition to allow development to commence/be occupied earlier.
2. The applicant is advised that appropriate sight lines from the frontage of Lovelynch House along the Middleton Stoney Road must be protected in order to ensure that the potential future delivery of development on that site is not prejudiced. This matter will be assessed in detail at the reserved matters stage.
3. Informative: The applicant is advised that the design and layout of the sports facilities should comply with the relevant industry Technical Design Guidance, including guidance published by Sport England and the National Governing Bodies for Sport. Further information can be found at: <http://www.sportengland.org/facilities-planning/tools-guidance/design-and-cost-guidance/>
4. Informative: The off-site works will require a S278 Agreement with Oxfordshire County Council (OCC). If the proposed development is to be offered for adoption to the Local Highway Authority (LHA) a S38 Agreement will be required, alternatively if the development is to remain private a Private Road Agreement will be required between the developer and OCC. For guidance and information on road adoptions and S278 Agreement works please contact the County's Road Agreements Team on 01865815700 or email Road.Agreements@oxfordshire.gov.uk. All the associated off-site highway works with NW Bicester will have to go through OCC's Direct Delivery process – if triggered.

Jenny Barker
Bicester Delivery Manager
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

16 February 2016

Dear Jenny

RE) Proposed Himley Village North West Bicester Outline Application 14/02121/OUT

A2D have read the planning report for the above application with interest. A2D wish to point out that P3 do not have control of the land to deliver the Key Infrastructure in terms of the strategic realignment of Howes Lane and Lords Lane and the proposed tunnel under the Railway. This land is controlled by a combination of A2Dominion, The Police and Crime Commissioner, The Malins Family, and Albion Land.

A2D would also like to point out that the Large Site Infrastructure Fund (LSIF) as administered by the Homes and Communities Agency (HCA) is now closed, and has tight criteria for eligibility in any event. A2D met with the HCA to advance the proposed loan arrangement to deliver all Key Infrastructure and this arrangement is likely to be finalised in May 2016. If you need contact information for the HCA please let me know, The HCA has also confirmed the A2D bid is the only bid for funding for the North West Bicester Site

Your sincerely

Gerry Walker 
Regional Director of Development
A2Dominion Group

Registered Office:
The Point
37 North Wharf Road
London W2 1BD

VAT No. GB 731 6211 68



Our Ref: PJF/nss/PF/8841
(Please reply to Banbury office)

peter.frampton@framptons-planning.com

17th February 2016

Ms J Barker
Director of Planning
Cherwell District Council
Bodicote House
Bodicote
Banbury
Oxfordshire
OX15 4AA

Dear Jenny

**TOWN AND COUNTRY PLANNING ACT 1990
PLANNING APPLICATION 14/02121/OUT
PROPOSED HIMLEY VILLAGE**

I refer to the above report which states at paragraph 5.95:

'... It is proposed that capacity for development prior to the tunnel is used north of the railway, with commitments to deliver the tunnel and further development is restricted until the tunnel is in place provided that the Highway Authority consider it necessary to do so.'

As you will be aware this issue is of some significance to my Clients, Albion Land, in respect of the proposal under application 14/01675/OUT. The Applicant is not able to contribute to the delivery of the tunnel or the realignment of Howes Lane, other than by way of a financial payment, i.e. has no land control.

I would be grateful if you would inform me of the form of Grampian condition that is proposed to be imposed in the event planning permission is resolved to be granted.

Yours sincerely

A handwritten signature in black ink, appearing to read "PJF", written over a light blue horizontal line.

Peter J Frampton

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Lesley Farrell

From: White, Joy - E&E <Joy.White@Oxfordshire.gov.uk>
Sent: 17 February 2016 16:51
To: Jenny Barker; Caroline Ford; mturner@alanbaxter.co.uk
Cc: Lisa Michelson; JacquiCox (OCC)
Subject: Himley Village - Technical Note 1 Addendum - Highway Authority Response

Dear all,

We have now reviewed the Technical Note Addendum in detail and have the following comments regarding its conclusions and methodology. Note that the 'Memorandum' referred to in the comments below, is a 2014 Memorandum from Hyder Consulting, demonstrating how the realigned Howes Lane (the Strategic Road) and its tunnel would need to be delivered before any more than 900 homes were occupied across the NW Bicester site as a whole.

Taking the conclusions (page 19) first:

- We accept that a greater proportion of trips generated by development sites to the north of the railway would likely pass through the Howes Lane/Bucknell Road and Lords Lane/Bucknell Road junctions than would trips from Himley Village. This would have been taken into account in the Memorandum, because turning movements at the junctions (used as input for the junction capacity modelling) were taken from the Bicester Strategic Model 2024 Scenario, and its associated trip generation and assignment for each of the zones within the masterplan.
- However, we do not agree with the assessment that a development of up to 1700 homes at Himley Village would introduce less traffic to the junction than 900 homes north of the railway, or with the percentage additional impact of homes at Himley Village on top of 900 north of the railway. Our critique of the Technical Note is set out below, but basically we do not consider the methodology is reliable.
- We do not agree with the capacity assessments set out, again because we consider the methodology in the Technical Note is unreliable.
- We do not agree that the technical work by Hyder of December 2014 (assumed to refer to the Memorandum) showed that 450 homes should be built north and south of the railway, although we concede that assumed within the junction assessment was development proportionate to the final masterplan development in each zone.
- We disagree with the conclusion that it is only development at Himley Village that can proceed within the constraints of the 900 trigger. Even if this were demonstrated to be acceptable in terms of the impact on the critical junction (which we believe it is not), this takes no account of other material factors important in planning decisions. Of key importance to the Highway Authority, and fundamental to the ability to develop the full NW Bicester masterplanned development in line with agreed Policy, is the provision of critical infrastructure, in particular the Strategic Road and the road tunnel under the railway.

Critique of Technical Note Addendum

1. P2 last para – The applicant points to uncertainty over the delivery of the tunnel. In fact we consider that the scheme should be deliverable within 2 years once possession of the line

has been agreed with Network Rail. Network Rail have advised that this is a standard construction.

2. Section 3.0 – the growth factor used is stated as 1.123. A separate factor for AM and PM peaks should have been produced. The AM peak factor is lower than the PM and using a 'daily' average would not show up the PM peak impact, which is the critical peak for the Picady assessments.
3. The last three scenarios tested would not be supported by OCC as they would not deliver either the new tunnel under the railway or any sections of the realigned road.
4. Page 4, second paragraph – the containment assumptions were across the whole masterplan site, not within individual parcels. It was expected that there would be movement across the masterplan area and hence the delivery of the realigned road and tunnel at an early stage would be required.
5. Section 5.0 – we question the statement that 900 homes to the north of the railway are “ambitious” but 1700 at Himley Village are deliverable by 2021 – although this is more for CDC to pick up on.
6. The growth factor is applied and then Exemplar, Application 1 and Himley Village added additionally. This is fine in practice as long as there are no nearby significant developments. As SW Bicester wasn't fully built prior to 2013 a local adjustment for these flows should have been applied to take into account local routing in excess of the TEMPRO forecasts.
7. Section 6.0, first sentence – OCC did not deny Alan Baxter access to the Bicester Strategic Model – it was made clear that this was available subject to fees to cover costs, but the applicant chose not to use the Model.
8. The distribution proposed in the Technical Note Addendum assumes a low percentage predicted to use the Howes Lane junction. Table 6 in the document uses information from the 2007 Bicester Household Travel Diary Survey to distribute trips, whereas the Bicester Strategic Model indicates a greater percentage using this route. The travel diary results were useful for filling in gaps in our understanding of local trips but use of the model would be far more reliable. The travel diary wouldn't have included recent changes such as the proposed employment development to the NE of the town, which is in the model and would more likely result in trips using the Howes Lane junction.
9. Last paragraph on page 6 – I do not think it reasonable to assume all trips will use Middleton Stoney Road as there will be links through to the realigned Howes Lane.
10. If the percentage distribution presented in the table were to be considered broadly reasonable, I would have to agree in principle that housing to the south might have less of an impact than to the north, but it is the degree of that variation that is key and I would wish for more supporting evidence for the distribution assumed. The impact shown in paragraph 8.3 with a 3.3% increase in traffic would not be acceptable to OCC – no additional impact at Howes Lane is acceptable. The impact in paragraph 8.6 doesn't deliver a tunnel.
11. There is no evidence of a scenario proposal that has acceptable queue lengths at the critical junction. The differences between the queue lengths set out in Table 35 are unreliable given the limitations of PICADY in modelling queue lengths where the RFC is greater than 1.

Regards

Joy

Joy White
Principal Transport Planner, Transport Development Control
Cherwell and West Oxfordshire Locality
Mobile 07554103522

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Lesley Farrell

From: Susie Stephen <susie.stephen@turley.co.uk>
Sent: 17 February 2016 12:06
To: Caroline Ford
Cc: Jenny Barker; Graham Johnson; Steve Nardelli; Michael Lowndes; Malcolm Turner; 'White, Joy - E&E'; JacquiCox (OCC)
Subject: RE: Technical Note Addendum
Importance: High

Caroline,

In the absence of this matter having been resolved and the lack of certainty for our client on the wording of proposed conditions, we have given consideration to a form of wording for a condition to manage the development of phasing on the site in advance of the new road link and tunnel being delivered.

This has been prepared in anticipation of the Council's preference to support new residential development to the north of the railway which, based on our technical analysis will lead to a severe impact on the Howes Lane/Bucknell Road junction. In response, our client is prepared to commit to interim improvements at this junction, with details to be agreed with yourselves and the County to enable some development to come forward at Himley Village before the road link and tunnel is in place. We would anticipate further detailed discussions on this matter post-resolution and the following condition would ensure that the Council maintains full control over phasing and delivery without prejudice to our client's ability to bring forward early delivery of homes should highways capacity be found.

The proposed condition we put to you is as follows:

'Not to occupy or permit the occupation of residential units until EITHER i) the Howes Lane/Lords Lane realignment has been completed in accordance with the details that have first been submitted to and approved by the Local Planning Authority OR ii) an interim improvement scheme (approved by the Highway Authority and Local Planning Authority) is completed to enhance the capacity of the existing Howes Lane / Bucknell Road and Lords Lane / Bucknell Road junctions so as to allow traffic movements from the consented development to pass through the junctions without having a materially detrimental effect on traffic congestion compared to the baseline of 900 residential units and 4 hectares of employment land located at the North West Bicester site'.

We duly request that you give this some consideration ahead of committee and to also bring this matter to the attention of members.

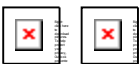
Kind regards
Susie

Susie Stephen
Associate Director



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From: Malcolm Turner [mailto:mturner@alanbaxter.co.uk]
Sent: 16 February 2016 14:56
To: 'White, Joy - E&E'
Cc: 'Cox, Jacqui - E&E'; 'Jenny Barker'; caroline.ford@cherwell-dc.gov.uk; Susie Stephen; Graham Johnson; Steve Nardelli; Michael Lowndes; gburrage@alanbaxter.co.uk
Subject: RE: Technical Note Addendum

Our ref.: 1665/75/MT/mt

Date: 16th Feb 2016

Joy White
OCC

Dear Joy

Himley Village, NW Bicester

Thanks for you e mail below.

I fully except that the Saturn model contains zones within NW Bicester which contain varying levels of different land uses and that therefore the trip generation varies between zones. As a point of accuracy, Hyder did not assess the full development in 2024 but 2,256 homes and 10ha of employment.

I have reviewed the Appendix 6 of the Access and Travel Strategy and this assumes a total of 5607 homes with 3075 of these south of the railway and 2,532 to the north. The distribution for housing is therefore 55% to the south and 45% to the north. Assuming 900 homes in total, on a pro-rata basis this means 495 to the south and 405 to the north. In terms of housing to the north, 393 are already committed at the Exemplar leaving a balance of 12 homes.

I would be grateful if you could confirm that OCC have accepted the 900 home trigger on the basis of the above distribution i.e. 495 homes to the south and 405 homes to the north.

Yours sincerely

Malcolm Turner
for Alan Baxter Limited

75 Cowcross Street
London
EC1M 6EL

Tel: 020 7250 1555

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From: White, Joy - E&E [mailto:Joy.White@Oxfordshire.gov.uk]
Sent: 16 February 2016 13:40
To: Malcolm Turner
Cc: Cox, Jacqui - E&E; Jenny Barker (Jenny.Barker@Cherwell-DC.gov.uk); caroline.ford@cherwell-dc.gov.uk
Subject: RE: Technical Note Addendum

Dear Malcolm

I am waiting for Jacqui to get back to me with her full response to your technical note.

However, I do not agree with your statement that the Hyder technical note of December 2014 was based on an even distribution of housing and employment across the entire NW Bicester site.

The modelled 2024 scenario turning counts used in the Hyder technical note to model the critical junction, were based on trip generation from each of the masterplan zones at full development, factored down by the same factor for each zone. However, the amount of full development in each zone of the model is not even, and the trip generation from each zone varies enormously. See Masterplan Access and Travel Strategy Appendix 6.

Therefore OCC as highway authority have not accepted that the 900 homes and 4 ha of employment should be evenly distributed across the site.

Kind regards

Joy

From: Malcolm Turner [mailto:mturner@alanbaxter.co.uk]
Sent: 16 February 2016 10:36
To: White, Joy - E&E
Cc: caroline.ford@cherwell-dc.gov.uk; Cox, Jacqui - E&E; Graham Johnson; Steve Nardelli; Susie Stephen; gburrage@alanbaxter.co.uk
Subject: RE: Technical Note Addendum

Our ref.: 1665/75/MT/mt

Date: 16th Feb 2016

Joy White
OCC

Dear Joy

Himley Village

Thanks for your e mail of the 12th Feb.

I wonder if you have also seen our letter to Jenny Barker of the 27th January 2016 (see attached)?

Our fundamental issue is that the Hyder technical note of December 2014 was based on an even distribution of housing and employment across the entire NW Bicester site. They started at a level of 2,256 homes and 10 ha of employment land and then progressively reduced this to get to a scenario that they believed to be acceptable to OCC in terms of traffic congestion i.e. 900 homes and 4 ha of employment. Their methodology using the flows from the Saturn model can only mean that this level of development is evenly distributed across the site.

By accepting the methodology and the level of congestion that arises from it, OCC as highway authority have accepted that the 900 homes and 4 ha of employment should be evenly distributed across the site. It does matter where this development goes and to subsequently then agree to a different distribution will result in a level of congestion that is different to that in Hyder's note.

Our Addendum to Technical Note 1 tests a number of different scenarios in terms of distribution of development. We have not been able to use the Saturn model to distribute flows and we can of course have an exchange of views as to the assumptions behind our first principles approach. However the overall picture, and one that Jacqui Cox has accepted in our meeting of the 19th January and in her subsequent e mail of the 27th January, is that development north of the railway will have more impact on the Bucknell Road/Howes Lane junction than development to the south. Given the traffic flow data from October 2013 and the modelled performance of the junction using these flows, it is just not logical to locate further housing, over and above the Exemplar, north the railway. It will just make a bad situation worse and will certainly result in very severe congestion as our Addendum demonstrates. Locating 507 homes north of the railway will result in severe congestion which is not what OCC have agreed to in accepting Hyder's technical note of December 2014.

I assume that you are preparing a formal response to our Addendum and our letter of 27th January 2016 and that we will have the opportunity to read this in advance of the committee meeting this Thursday.

Yours sincerely

Malcolm Turner
for Alan Baxter Limited

75 Cowcross Street
London
EC1M 6EL

Tel: 020 7250 1555

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From: White, Joy - E&E [<mailto:Joy.White@Oxfordshire.gov.uk>]
Sent: 12 February 2016 18:13
To: mturner@alanbaxter.co.uk
Cc: caroline.ford@cherwell-dc.gov.uk
Subject: Technical Note Addendum

Malcolm,

Regrettably I have been unable to talk to Jacqui this afternoon, and I was hoping to be able to provide a full response to your note but won't be able to do that before speaking to her. However, I can say that we have both been through the note and find that there is still no evidence of a

scenario that works – the note just seeks to show the queue lengths are less in your proposed scenarios than with Exemplar and app 1, but they are nevertheless shown in the note to be severe. In any case there are weaknesses with the first principles approach used (instead of using the strategic model as requested), which mean we are not convinced with the assertion that queues at the Bucknell Road/Howes Lane junction would be much worse than in the Hyder memorandum of 2014. I can go through these in more detail once I have checked with Jacqui.

Thus we fundamentally disagree with the statement that ‘the findings of this report strongly reinforce the conclusion that it is only development at Himley village which can proceed within the constraints of the 900 trigger’ - it is certainly not possible to conclude this from the report.

Additionally, we disagree with the statement ‘This assessment supports the technical work by Hyder from December 2014 that 450 homes should be located both north and south of the railway. The most recent traffic survey data also supports this even allocation across the site.’ As you have not modelled this scenario I don’t see how this can be concluded from the note either.

Kind regards,

Joy

Joy White
Principal Transport Planner, Transport Development Control
Cherwell and West Oxfordshire Locality
Mobile 07554103522

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BESSEMER CLOSE, BICESTER

BS4142 ASSESSMENT REPORT

Report 13329.BS4142.01

For:

**Vanderbilt Homes,
Apollo House,
Mercury Park,
George Lane,
Wooburn Green,
HP10 0HH**

Site Address	Report Date	Revision History
Bessemer Close, Bicester, Oxfordshire, OX26	16/02/2016	

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List of Attachments

13329.SP1	Indicative Site Plan
13329.TH1-4	Environmental Noise Time History
Appendix A	Glossary of Acoustic Terminology
Appendix B1	Acoustic Calculations

1.0 INTRODUCTION

KP Acoustics Ltd, Britannia House, 11 Glenthorne Road, London, W6 0LH, has been commissioned by Vanderbilt Homes, Apollo House, Mercury Park, George Lane, Wooburn Green, HP10 0HH, to undertake a BS4142 assessment of existing light industrial noise sources in the vicinity of a proposed residential development. Measured background noise levels will be used to assess the noise impact of the facility and its operations to the proposed nearest noise sensitive receiver.

A 7-day environmental noise survey has been carried out in conjunction with manual measurements taken of typical automotive maintenance operations, in order to undertake a noise impact assessment according to BS4142:2014: '*Method for rating industrial noise affecting mixed residential and industrial areas*'. This assessment will provide an indication as to the likelihood of proposed activities having a negative effect on the amenity of nearby noise sensitive receivers.

In the context of this assessment, noise emissions from an existing MOT facility would be expected to represent a worst-case scenario, and have therefore been taken as the most dominant noise source.

2.0 ENVIRONMENTAL NOISE SURVEY AND EQUIPMENT

2.1 Procedure

Automated noise monitoring was undertaken at the positions shown in Site Plan 13329.SP1. The choice of these positions was based on collecting representative noise data in relation to the proposed noise sensitive receiver.

Continuous automated monitoring was undertaken for the duration of the survey between 17:00 on 12th October 2015 and 14:00 on 19th October 2015.

Weather conditions were generally dry with light winds and therefore suitable for the measurement of environmental noise. The measurement procedure complied with ISO 1996-2:2007 Acoustics "Description, measurement and assessment of environmental noise - Part 2: Determination of environmental noise levels".

2.2 Equipment

The equipment calibration was verified before and after use and no abnormalities were observed. The equipment used was as follows:

- 4 No. Svantek Type 957 Class 1 Sound Level Meter

- B&K Type 4231 Class 1 Calibrator

3.0 RESULTS

The results from the continuous noise monitoring are shown as a time histories of L_{Aeq} , L_{Amax} , L_{A10} and L_{A90} averaged over 5 minute sample periods in Figure 13329.TH1-4.

Background noise levels for the most representative noise monitoring position (position 2) are shown in Table 3.1.

Average background noise level (Position 2) L_{90} , dB(A)	
Daytime (07:00-23:00)	45
Night-time (23:00-07:00)	38

Table 3.1: Average background noise levels for representative monitoring position (position 2)

As all MOT activity would be undertaken during daytime hours, we propose to utilise the daytime noise emissions criteria.

3.1 Manual Measurements

In order to assess noise emissions caused by different operations at the MOT facility, manual measurements have been undertaken for typical operations at a similar site. This data is shown in Table 3.2.

Operation/Machinery	Location/Comments	L_{Aeq} dB(A)
AUTOMOTIVE MAINTENANCE OPERATIONS		
Car manoeuvring		58
Car lift	Common in most garages/workshops	73
Air gun	For removal/application of wheel nuts	86

Table 3.2 Overall measured L_{Aeq} levels for different operations

4.0 NOISE CRITERIA

BS4142:2014: 'Method for rating industrial noise affecting mixed residential and industrial areas' states that a noise source 5dB above the average background noise level is of

‘marginal significance’. If the difference is of 10dB or more, then there is an indication that ‘complaints are likely’. In order to demonstrate total inaudibility, the noise level received as a result of the proposed operations should be 10dB below the background noise level.

The requirements of the local planning authority will inherently be met, assuming compliance with the above standard can be achieved.

The following section reports the results of the noise impact calculations undertaken in accordance with BS4142.

4.1 Noise Assessment from various operations

The main operations and noise sources in the automotive facility are listed in table 3.2, along with their expected noise levels.

In order to assess the combined impact of all the above processes, a hypothetical ‘worst case’ scenario has been calculated for daytime operation only upon consultation with the staff of the facility. The assessment period according to BS4142 is one hour for daytime.

The calculations take account of the different types of acoustic corrections and were conducted with respect to the noise monitoring position, the latter being representative of the closest noise sensitive receiver. The acoustic feature correction has been applied to all operations as they are all characterised by irregular features such as impulses and continuous tones, therefore providing a robust assessment.

Table 4.1 shows the results of the predictions. Full details of the calculations may be found in Appendix B1.

	Noise Level, dB(A)
Specific Noise Level (after application of acoustic corrections), $L_{Aeq:1hour}$	44
Acoustic feature correction	+5
Rating Noise Level, $L_{Aeq T :1hr}$	49
Residual Noise, Average L_{90}	45
Likelihood of complaints	Complaints unlikely / marginally significant

Table 4.1: BS4142 Noise assessment for the automotive facility

As shown in Table 4.1 and Appendix B1, the predicted noise impact on the closest noise sensitive receiver due to the automotive facility would demonstrate marginal significance regarding the likelihood of complaints.

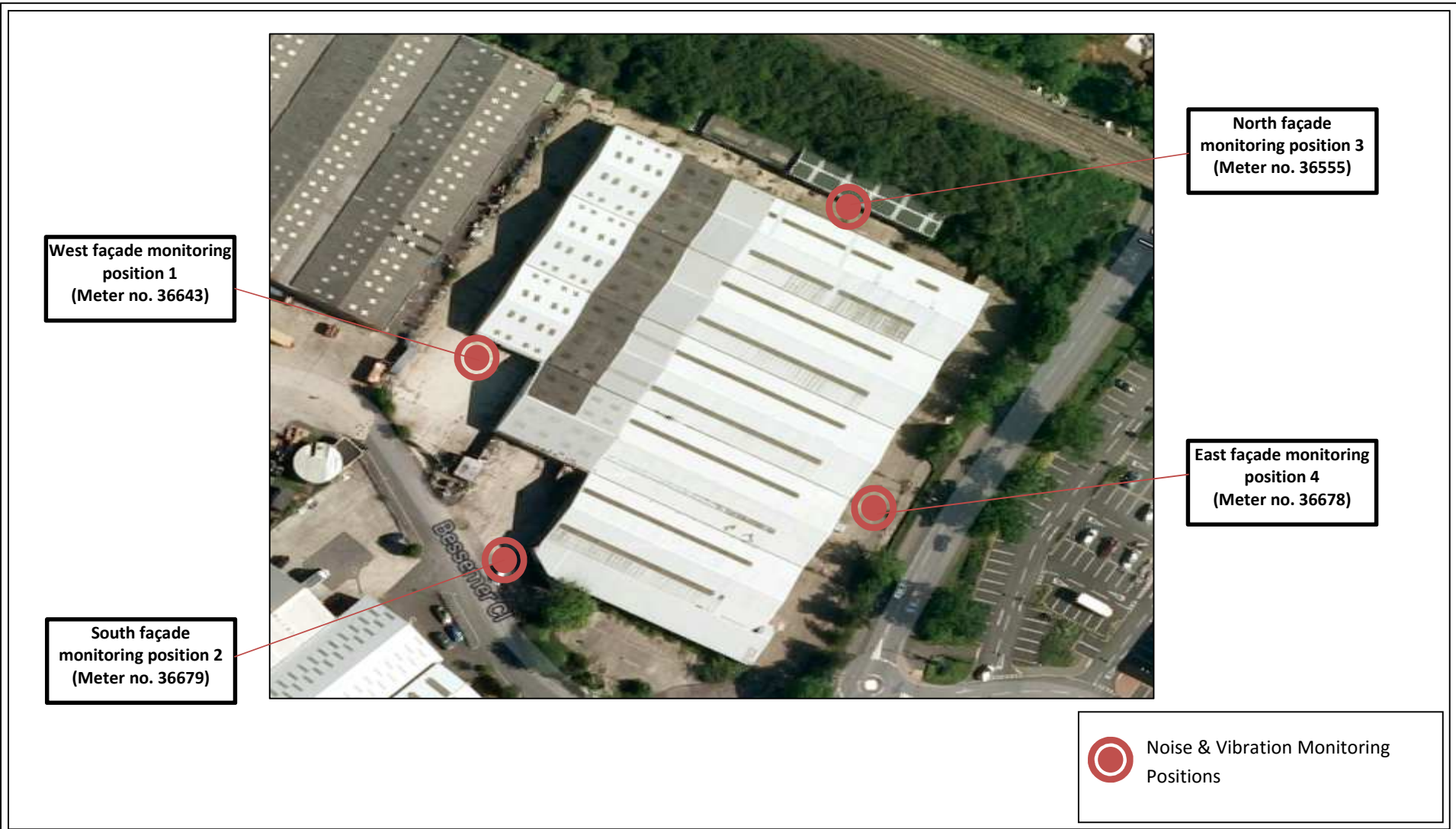
5.0 CONCLUSION

An environmental noise survey and BS4142 assessment have been carried out at Bessemer Close, Bicester. The assessments have allowed predictions to be made for the likelihood of identified noisy processes having a negative effect on the amenity of proposed nearby noise sensitive receivers.

Calculations have shown that, provided operations are undertaken as suggested in this report, the impact on the amenity of proposed residential receivers would be marginal as a result of MOT operations.

Report by
Duncan Arkley AMIOA
KP Acoustics Ltd.

Checked by
Kyriakos Papanagiotou MIOA
KP Acoustics Ltd.



Title:
Indicative site plan showing noise and vibration monitoring positions (Image Source: Google Earth)

Date: 28 October 20155

FIGURE 13329.SP1



Bessemer Close, Bicester
Environmental Noise Time History
12th October to 19th October 2015



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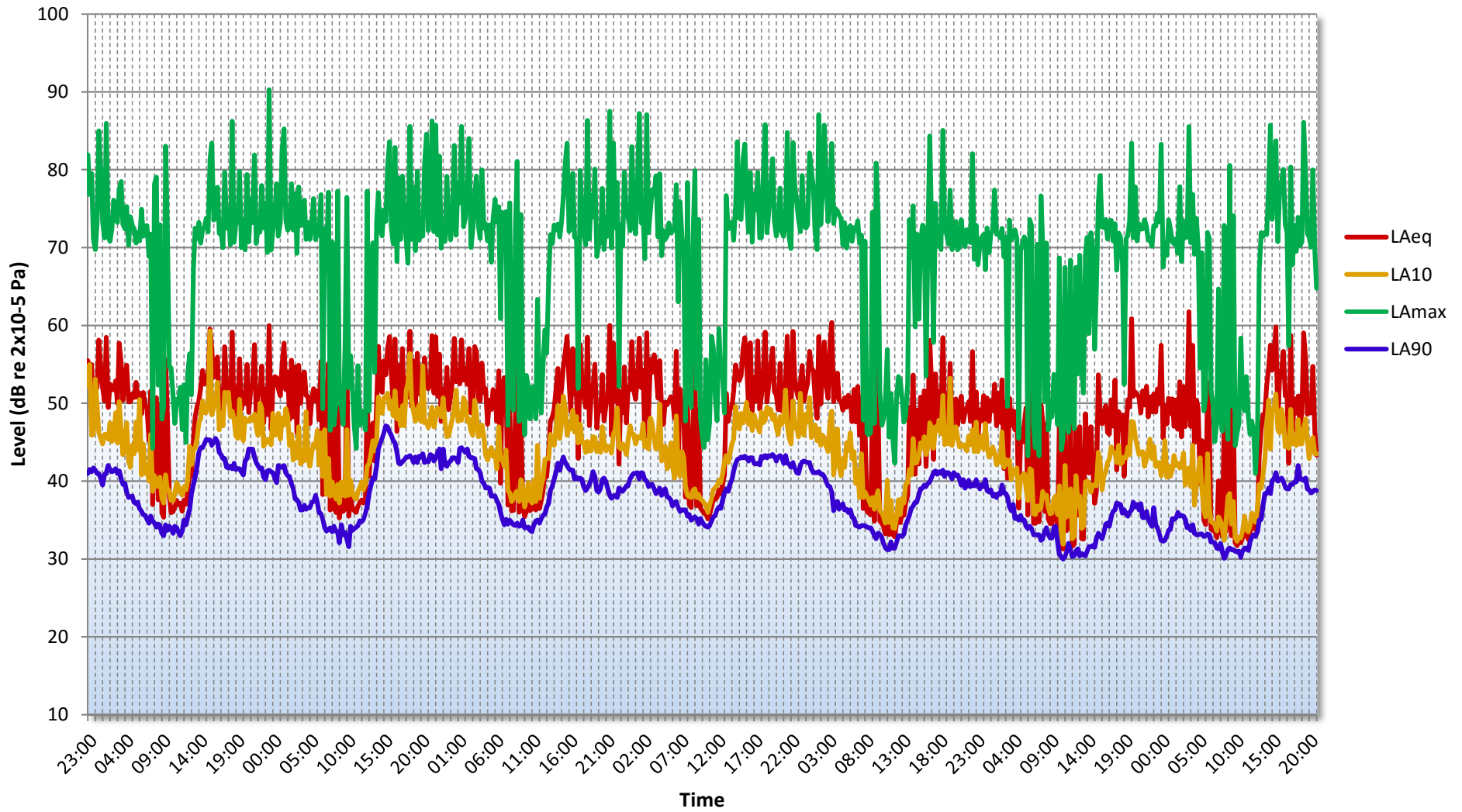


Figure 13329.36643.TH1

Bessemer Close, Bicester
Environmental Noise Time History
12th October to 19th October 2015



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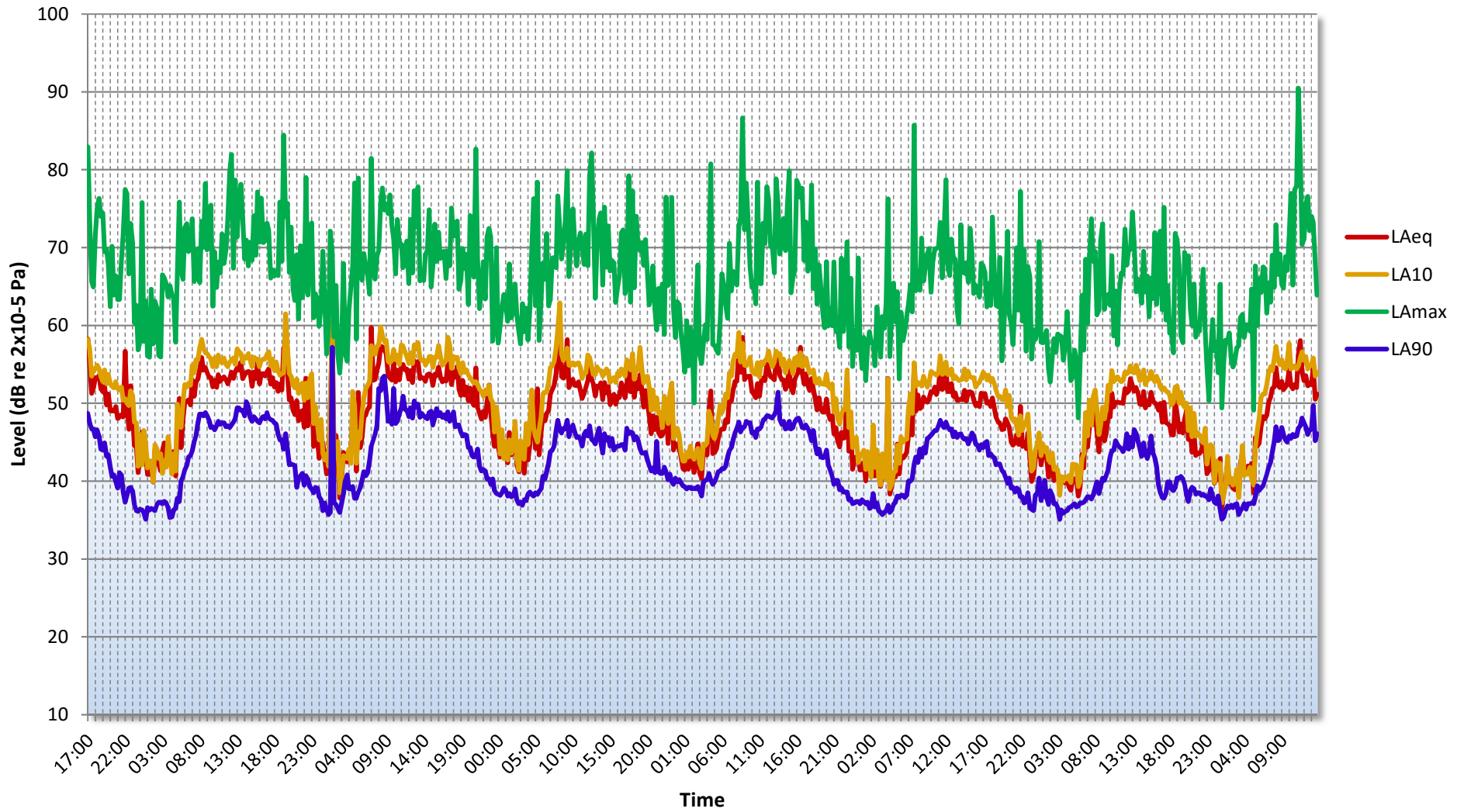


Figure 13329.36679.TH2

Bessemer Close, Bicester
Environmental Noise Time History
12th October to 19th October 2015



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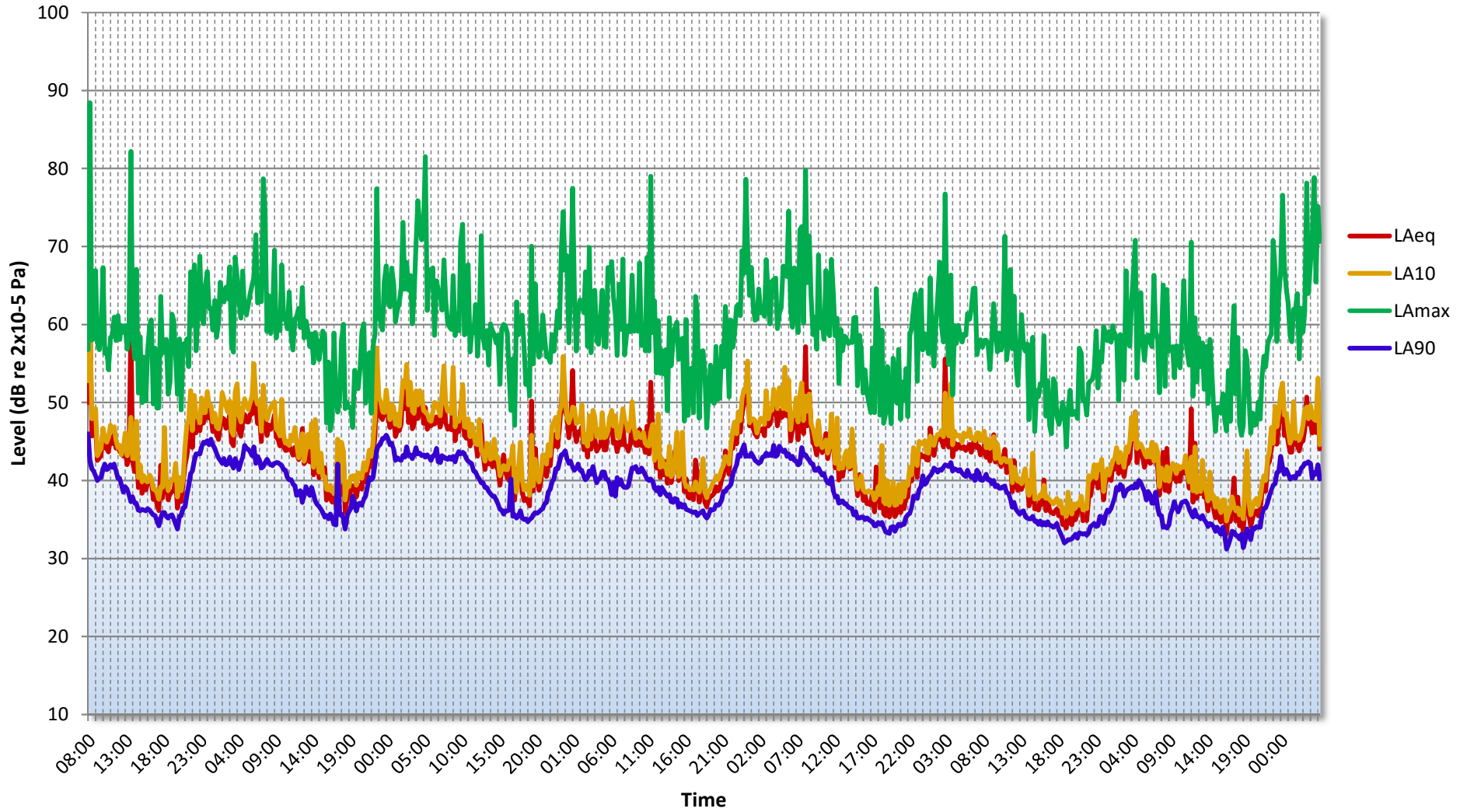


Figure 13329.36555.TH3

Bessemer Close, Bicester
Environmental Noise Time History
12th October to 19th October 2015



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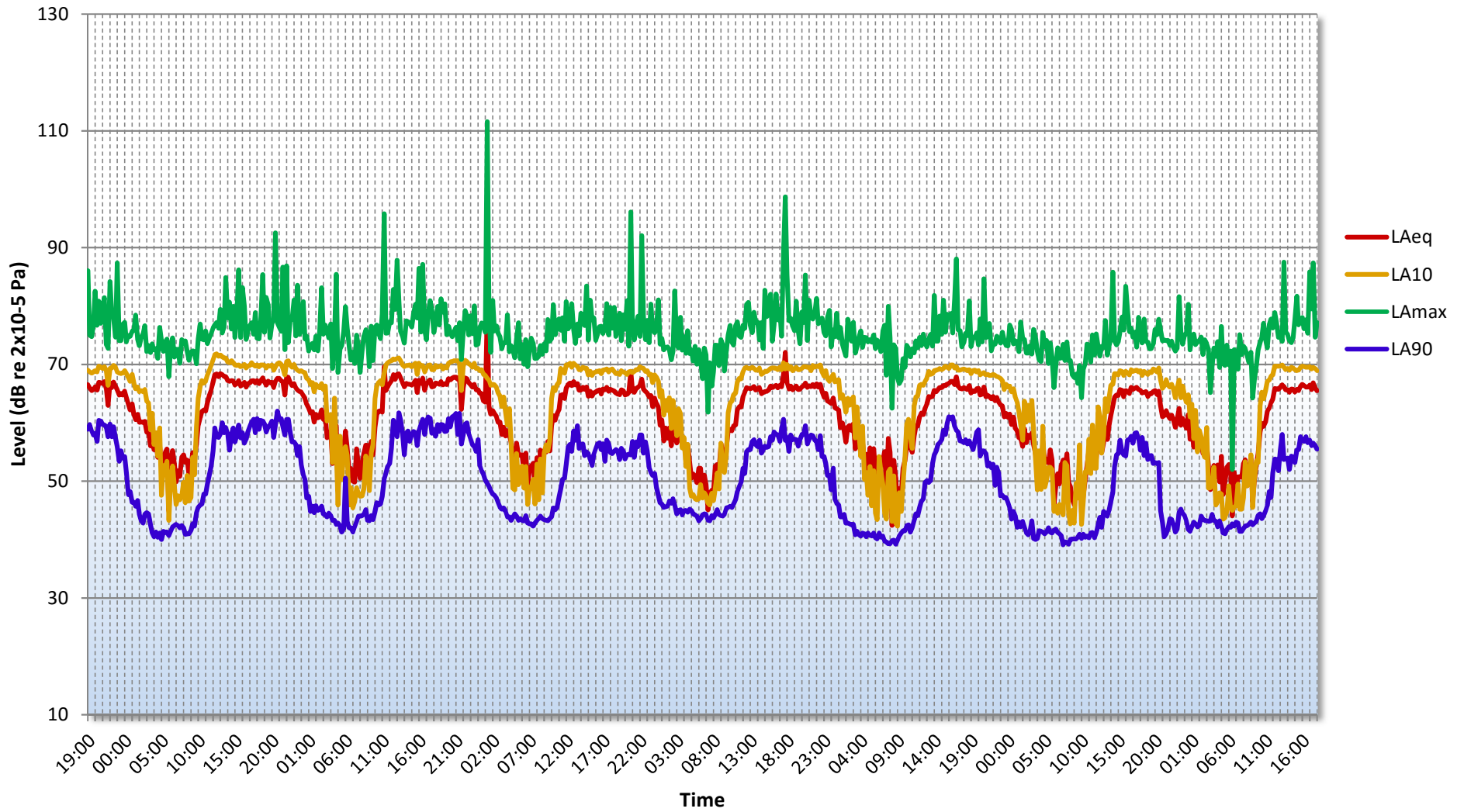


Figure 13329.36678.TH4

GENERAL ACOUSTIC TERMINOLOGY

Decibel scale - dB

In practice, when sound intensity or sound pressure is measured, a logarithmic scale is used in which the unit is the 'decibel', dB. This is derived from the human auditory system, where the dynamic range of human hearing is so large, in the order of 10^{13} units, that only a logarithmic scale is the sensible solution for displaying such a range.

Decibel scale, 'A' weighted - dB(A)

The human ear is less sensitive at frequency extremes, below 125Hz and above 16Khz. A sound level meter models the ears variable sensitivity to sound at different frequencies. This is achieved by building a filter into the Sound Level Meter with a similar frequency response to that of the ear, an A-weighted filter where the unit is dB(A).

L_{eq}

The sound from noise sources often fluctuates widely during a given period of time. An average value can be measured, the equivalent sound pressure level L_{eq} . The L_{eq} is the equivalent sound level which would deliver the same sound energy as the actual fluctuating sound measured in the same time period.

L_{10}

This is the level exceeded for no more than 10% of the time. This parameter is often used as a "not to exceed" criterion for noise.

L_{90}

This is the level exceeded for no more than 90% of the time. This parameter is often used as a descriptor of "background noise" for environmental impact studies.

L_{max}

This is the maximum sound pressure level that has been measured over a period.

Octave Bands

In order to completely determine the composition of a sound it is necessary to determine the sound level at each frequency individually. Usually, values are stated in octave bands. The audible frequency region is divided into 11 such octave bands whose centre frequencies are defined in accordance with international standards. These centre frequencies are: 16, 31.5, 63, 125, 250, 500, 1000, 2000, 4000, 8000 and 16000 Hertz.

Environmental noise terms are defined in BS7445, *Description and Measurement of Environmental Noise*.

APPLIED ACOUSTIC TERMINOLOGY

Addition of noise from several sources

Noise from different sound sources combines to produce a sound level higher than that from any individual source. Two equally intense sound sources operating together produce a sound level which is 3dB higher than a single source and 4 sources produce a 6dB higher sound level.

Attenuation by distance

Sound which propagates from a point source in free air attenuates by 6dB for each doubling of distance from the noise source. Sound energy from line sources (e.g. stream of cars) drops off by 3dB for each doubling of distance.

Subjective impression of noise

Hearing perception is highly individualised. Sensitivity to noise also depends on frequency content, time of occurrence, duration of sound and psychological factors such as emotion and expectations. The following table is a guide to explain increases or decreases in sound levels for many scenarios.

Change in sound level (dB)	Change in perceived loudness
1	Imperceptible
3	Just barely perceptible
6	Clearly noticeable
10	About twice as loud

Transmission path(s)

The transmission path is the path the sound takes from the source to the receiver. Where multiple paths exist in parallel, the reduction in each path should be calculated and summed at the receiving point. Outdoor barriers can block transmission paths, for example traffic noise. The effectiveness of barriers is dependent on factors such as its distance from the noise source and the receiver, its height and construction.

Ground-borne vibration

In addition to airborne noise levels caused by transportation, construction, and industrial sources there is also the generation of ground-borne vibration to consider. This can lead to structure-borne noise, perceptible vibration, or in rare cases, building damage.

Sound insulation - Absorption within porous materials

Upon encountering a porous material, sound energy is absorbed. Porous materials which are intended to absorb sound are known as absorbents, and usually absorb 50 to 90% of the energy and are frequency dependent. Some are designed to absorb low frequencies, some for high frequencies and more exotic designs being able to absorb very wide ranges of frequencies. The energy is converted into both mechanical movement and heat within the material; both the stiffness and mass of panels affect the sound insulation performance.

Appendix B1

MOT Facility BS4142 Noise Assessment	Leq dB(A)	Distance attenuation to closest residence*	Attenuation provided by Mot Building Envelope	Penalty	Resultant Level dB(A)
Car manoeuvring Used approx. 420 minutes per day, averaged from a week's usage Measurement at 1m	66	-28	-10	5	33
Wheel nut air gun Used approx. 20 minutes per day, averaged from a week's usage Measurement at 1m	81	-28	-10	5	48
Car lift Used approx. 40 minutes per day, averaged from a week's usage Measurement at 1m	71	-28	-10	5	38
				Total	49
<p>Daytime Assessment All LAeq levels have been adjusted according to their pattern of operation and have been normalised to 1hr.</p> <p>* Distances have been measured from the external wall of the proposed MOT site to the external window of the closest residential receiver.</p>					

The first point is related to the applicability of BS4142:2014. The Standard would not be directly relevant in our case due to the fact that in the majority of situations, it is used where a potentially intrusive noise source is introduced in an area with an existing, ambient noise profile. It is therefore the responsibility of the side introducing the noise source to undertake this assessment and not the side of the receiver. Moreover, the Standard is designed to assess the noise levels from any industrial noise sources externally, as shown in the excerpt below:

1 Scope

The British Standard specifies methods for rating and assessing industrial and/or commercial sound. It is applicable to the determination of the following sound levels at outdoor locations:

In this case, as shown in our site plan and the snapshot below, the proposed properties in the vicinity of Noise Monitoring Position 2 do not have any external amenity spaces facing the existing commercial units. So, in strict terms the Standard would not be applicable.



The second point is related to the actual information provided by our environmental noise survey. Both monitoring positions 1 and 2 have encapsulated all possible information from all current noise sources over a period of 1 week. This means that the noise time histories actually represent not only worst-case scenarios entailing all possible commercial operations, but also a very pragmatic snapshot of the current noise footprint of the area.

If we assess the noise levels closely - as shown below in the excerpt from our report - we see that they are well within WHO and BS8233 guidelines for external amenity spaces.

	West Façade	South Façade
Daytime LAeq,16hour	52	52
Night-time LAeq,8hour	52	46

This effectively means that the current noise profile of the area is not adversely affected by the current commercial operations.