

**Site Address: Bicester Eco Town  
Banbury Road B4100**

**14/01384/OUT**

**Ward: Caversfield**

**District Councillor: Vacant**

**Case Officer: Jenny Barker**

**Recommendation: Approve**

**Applicant: A2 Dominion South Limited**

**Application Description:**

**“Development comprising redevelopment to provide up to 2600 residential dwellings (Class C3), commercial floorspace (Class A1 – A5, B1 and B2), social and community facilities (Class D1), land to accommodate one energy centre, land to accommodate one new primary school (up to 2FE) (Class D1) and land to accommodate the extension of the primary school permitted pursuant to application [ref 10/01780/HYBRID]. Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure, ancillary engineering and other operations.”**

**Committee Referral: Major Development**

**Committee date: 19 March 2015**

**1. Site Description and Proposed Development**

- 1.1 The application site is located on the north western side of Bicester. The site is located between the London to Birmingham rail line and the development that has been permitted off the Banbury Road (B4100), known as the Exemplar development. The site adjoins the built edge of the existing town at Bure Park, although the development site is separated from it by Lords Lane.
- 1.2 The site extends to approximately 155 ha and is primarily in agricultural use. The site surrounds two farmsteads, Hawkswell Farm and Lords Farm, which are outside the current application, and to be retained by their owners together with a bore hole. An area of land adjacent to Lords Lane is also in separate ownership and excluded from the application.
- 1.3 The site is crossed by two watercourses which meet before crossing under Lords Lane and feeding into the Bure stream. The land is also divided into fields by hedges which are the principle boundary treatment of the site. A small woodland is located within the northern part of the site. The outer edge of the development does not follow existing boundaries and is not currently defined on the site.
- 1.4 The scheme proposes the construction of 2600 residential dwellings of which 250 are proposed as extra care properties. Supporting infrastructure is proposed in the form of a new local centre and small business centre located close to the railway. Significant areas of the site are proposed as green space including land for a country park and burial ground on the outer edge of the development. The stream corridors and hedgerows are proposed to be maintained during and after development.

**2. Application Publicity**

- 2.1 The application has been advertised by way of neighbour letters, site notices and press notice. Amendments to the application were advertised and the final date for comment was the 22 January 2015.

No letters of objection, support or raising issues have been received from the general public.

### 3. Consultations

3.1 The following consultation responses have been received and are summarised below. The full consultation responses are available on line at <http://www.cherwell.gov.uk/index.cfm?articleid=8938>.

#### 3.2 Parish Councils

3.2.1 **Bicester Town Council** have no objections

3.2.2 **Bucknell Paish Council** draw attention to the rural nature of the parish and their desire to preserve this and have the following comments and suggestions:

- Access to Bicester for resident of Bucknell needs to be maintained
- Concerned that Howes Lane proposals will increase traffic through Bucknell if the speed limit is reduced. Reduction in the speed limit on the Ardley to Bicester road to 40mph is sought with 20mph through the village
- Bus routes should be extended to serve Bucknell
- Guarantees are sought that there will not be light or noise pollution
- The green buffer should be developed early and be at least 100m with trees and woodland
- A covenant should be placed on the green buffer to prevent further development
- Drainage from Bucknell goes through the site and has issues of sewerage flooding and flooding as a result of heavy rainfall which the Parish is in discussions with Thames Water to resolve.
- Bucknell should be in the catchment of new schools if they are nearer than existing catchment schools

3.2.3 **Middleton Stoney Parish Council** wishes to raise no objections to the application in principle but wishes to raise considerable concerns.

- The Parish consider there must be a route to by pass Bicester to the west especially for HGVs. Reduction of speed on the existing route will have serious consequences.
- With many new developments OCC & CDC need to ensure robust conditions on developers to build roads to an appropriate standard.
- The parish note the Local Plan figure of 3293 dwellings so assume other development at NW Bicester will not come forward for a considerable time.

3.2.4 **Chesterton Parish Council** object mainly on the Howes Lane proposals, which will be used as the 'Northern Ring Road and is impractical as it stands. A single carriageway road with adjacent shops, school and a business park will have to carry heavy road traffic, even at this stage this should be modified to dual carriageway. The A4095 through Chesterton is already seeing an increased volume of heavy goods and normal vehicle traffic which will be exacerbated by the Eco Town development.

3.2.5 **Caversfield Parish Council** did not have any specific comments on these plans, but looks forward to seeing the more detailed plans in due course. Councillors did request that the plans for the Howes Lane re-alignment be finalised before any further work is agreed on the development. The Parish Council has concerns about the impact that the current road proposals will have on villagers travelling to Chesterton and beyond.

#### 3.3 Cherwell District Council Consultees (in summary)

3.3.1 **Head of Strategic Planning and the Economy** comments are detailed and you are encouraged to read them in full on line. They are summarised below;

The response details the relevant policies in the Cherwell Local, National Planning Policy Framework (NPPF), National Planning Practice Guidance (NPPG), Non Statutory Cherwell Local Plan (NSCLP) Cherwell Submission Local Plan (CSLP), Eco Towns Planning Policy

Statement, Eco Bicester One Shared Vision, North West Bicester Supplementary Planning Document.

#### Five year Housing Land Supply

- The district does not presently have a five year housing land supply. The latest published position is reported in the Housing Land Supply Update June 2014 which concluded that the district had a supply of 3.4 years for the period 2014-2019. The calculations do not include new deliverable sites permitted since June 2014 and the land supply position will shortly be reviewed.

#### Strategic Housing Land Availability

- The entire North West Bicester site is included in the SHLAA Update 2014 (Aug 2014) with the site reference BI200.

#### General Policy observations

- The adopted Development Plan is dated and does not provide for development in this location.
- Development would result in a substantial extension of Bicester's built-up area towards Bucknell and would consolidate the ongoing Eco-Town development on the western side of Banbury Road near Caversfield.
- The saved policies of the Cherwell Local Plan seek to protect the countryside and this aim remains appropriate in the context of NPPF principles including 'recognising the intrinsic character and beauty of the countryside' and to 'contribute to conserving and enhancing the natural environment' (para' 17).
- The Non-Statutory Local Plan is of little weight but similarly includes policies of restraint for this area of countryside.
- In the current absence of a five year land supply the saved housing policies of the adopted Local Plan cannot be considered up-to-date (NPPF, para' 49) and planning permission should be granted any adverse impacts of doing so would significantly and demonstrably outweigh the benefits (NPPF, para' 14).
- The PPS Eco-Towns Supplement provides for eco-development in this location. The supplement provides a set of minimum standards, "...to ensure that ecotowns are exemplars of good practice and provide a showcase for sustainable living and allow Government, business and communities to work together to develop greener, low carbon living..." (para' 3). The potential benefits of delivering development to the highest environmental standards provides the opportunity for very significant benefits to be delivered in providing new housing, employment opportunities and other development to meet existing and future needs. The benefits of eco-town development to the wider town are also made clear in the Eco-Bicester One Shared Vision document.
- North West Bicester is identified as the largest strategic development site in the Submission Local Plan (as Proposed to be Modified).
- Whilst the Submission Local Plan is the subject of unresolved objections it has been through its Examination Hearings (December 2014) and the Inspector's Report is awaited (expected Spring 2015). The Plan therefore carries weight, albeit that weight is limited at this stage.
- With regard to the PPG's advice on prematurity, the present application is 'substantial', involving as it does over 160 hectares of land and the development of, inter alia, some 2,600 homes. The grant of permission would also precede the Local Plan Inspector's conclusions on the suitability of the site proposed for allocation and the appropriateness of the intended requirements of draft Policy Bicester 1.
- However, it is considered that this must be viewed in the context of national planning policy which provides for a potential eco-town at North West Bicester, the fact that the Plan seeks to achieve eco-development in this location, the fact that part of the wider eco-town site is under construction, and the absence of a timely alternative proposal that would meet the requirements of the PPS Supplement and contribute to housing supply in the near term.

- Predetermination should also be considered in the light of all other material considerations. Key considerations, from a local plan perspective, are considered below to assist a determination of whether the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits.

#### Master Plan

- There is not presently a 'permitted' or 'approved' masterplan in the context of the PPS Supplement (ET20) or 'approved' in the context of Policy Bicester 1 of the modified Submission Local Plan.
- However, the application includes submitted 'Parameter Plans' These plans together with other supporting documentation demonstrate how the proposed development could broadly comply with the overall requirements of the PPS Supplement and Policy Bicester 1.
- The application is supported by a Design and Access Statement which explains the masterplanning context. Reserved matter applications will clarify issues of detail.
- Further clarity should be provided on the documents that comprise the masterplan for the purpose of complying with the PPS Supplement and Policy Bicester 1
- This application must be considered on its own merits and the proposed development must fully contribute in delivering an eco-development as envisaged by the PPS Supplement as proposed by Policy Bicester 1 of the modified Submission Local Plan. The Masterplan Framework helps to demonstrate how this will be achieved, particular as other elements of the overall Eco-Town development are brought forward through separate planning applications. Should permission be granted for the present application, there should be appropriate use of legal agreements to provide the requisite certainty over linkages with other Eco-Town components and delivery, particularly in relation to securing necessary infrastructure.

#### Housing

- It is noted that all detailed matters are reserved for future approval.
- The proposal involves the provision of approximately 2600 homes based on range of (indicative) densities ranging from 20 to 50 units per hectare with higher densities being located close to the local centre and to public transport infrastructure. This strategy will support the modal shift away from dependence on private cars to walking and cycling in accordance with the NPPF and emerging local plan policies including Policies BSC1, BSC2 and BSC4.
- The indicative average density of residential development approximately 35 units per hectare which excludes green infrastructure. The average density is comparable to existing housing in surrounding areas in Bicester of around 30 units per hectare. Some areas are proposed for higher densities to reflect the provision of apartments necessary for providing the required mix for different sectors of the population and the needs identified in the 2014 SHMA.
- Although densities are indicative and will be the subject of reserved matter applications, approval is sought for overall building heights and the supporting information demonstrates that the proposed housing at a broad level of analysis could be acceptably accommodated having regard to the land use needs of other development and eco-requirements.
- The application proposes extra care apartments for the elderly with facilities available to residents and the public.. The objective is for the development to be a mixed use scheme with a mix of uses centred on a local centre. It is not clear how much extra care housing C3 or C2 provision will be made. It is important that the provision is clarified
- Extra care remains an important housing option in the Council's Housing Strategy 2012-2017. The SHMA highlights the issues of an ageing population and higher levels of disability and health problems amongst older people will mean an increasing demand for specialist housing
- Affordable housing is proposed at 30% with 70% as social rented dwellings and 30% as shared ownership. This accordance with Policies BSC1 and BSC3 and is considered acceptable.
- Homes are to be designed to meet level 5 of the Code for Sustainable Homes and

Lifetime Homes Standard. The aim is for all homes to be designed to be zero carbon. This also accords with Policy Bicester 1 which is based on the PPS1 supplement.

- Homes are to have High Speed broadband. This accords with Policies BSC1 and BSC9 of the modified Submission Local Plan.

#### Housing Delivery and Five Year Land Supply

- The modified Submission Local Plan provides for 6000 at North West Bicester with 3293 being delivered by 2031. 6000 homes were tested through the Local Plan's SEA/SA process and an HRA screening and the Plan does not preclude faster or earlier delivery. The release of an additional 2600 homes on top of the on-going exemplar scheme (393 homes) will contribute in meeting the overall housing need for the district set out in the 2014 SHMA (some 22,800 homes from 2011-2031), albeit ahead of the Inspector's Report on the Local Plan.
- The five year land supply is presently being reviewed but the release of additional housing in accordance with the Council's development strategy will help provide further certainty over the continued contribution of North West Bicester to the achievement and maintenance of a five year housing land supply.

#### Employment

- The proposed development would help create economic growth which is a key objective of the Submission Local Plan and the NPPF. The proposals would provide a range of job types in a range of use classes which is consistent with Policy Bicester 1 and the draft SPD. The requirements of PPS1 have not yet been fulfilled but the proposals are in general accordance with it.
- The modified Submission Local Plan (Policy SLE1 and site specific policies) identifies new strategic sites at Bicester where employment generating development should be located (including at North West Bicester), providing the opportunity for a mix of employment uses in a number of locations.
- Policy Bicester 1 states that use classes should be B1, with limited B2 and B8 uses. It sets out that 1,000 jobs on B use class jobs will be provided on the site within the Plan period and the remainder through other uses such as home working with some jobs will be located away from the site such as in Bicester town centre. Mixed use local centre hubs on the site will include B1(a), A1-A5, C1, D1 and D2 uses.
- Policy SLE2 states that the Council will support the provision of new local centres containing a small number of shops to meet day to day needs within the strategic housing allocations in the Local Plan.
- Paragraph C.41 explains how the development at North West Bicester will provide at least 6,000 jobs in total and 3,000 in the Plan period. Paragraph C.42 states that the precise nature and location of jobs will be set out by a masterplan that will be prepared for the north west Bicester allocation.
- An economic development strategy is provided as part of the planning application which is a supplement to the economic strategy prepared to support the planning of the wider site and which summarises the employment
- This present application would result in a contribution of over 1,000 on site jobs (B and other use classes) to the overall requirement of 6,000 jobs sought by Policy Bicester 1 and towards the 4,600 on site jobs envisaged in the draft SPD.
- The present application covers only part of the North West Bicester site (albeit a substantial part) and does not seek to fulfil the full employment figures envisaged in the PPS1 supplement, draft Policy Bicester 1 and the draft SPD. The application does not provide for all the B use class jobs (1,000) required by Policy Bicester 1 but a separate application has been made involving 800-1000 homes in the south west corner of the wider North West Bicester site, the location indicated in the Masterplan Framework.
- It will be necessary to ensure that any significant shortfall in expected job numbers for different areas of the North West Bicester development do not adversely impact on the planning and delivery of other areas. It is important that there is broad

compliance with national and local policy for each individual proposal to provide the requisite number of employment opportunities and to help create sustainable travel patterns.

- The retail uses proposed in the application are small scale and are considered to be in conformity with planning policy including Policy SLE2 and Policy Bicester 1. Retail uses should not form a significant part of mixed use non-residential areas to ensure the viability and vitality of Bicester town centre is maintained.
- Considering the NPPF requirements, Policy Bicester 1 and Policy ESD16 there is a need to ensure that the employment proposals are appropriately integrated with the rest of the eco-town development in terms of access, design, and the impact on residential and public areas. The proposed buildings and operations should also meet national and local policy requirements relating to sustainable living and construction.
- Overall, in relation to employment, it is considered that the proposals are in general accordance with the Eco-towns PPS1 supplement, the Submission Local Plan and the draft SPD. However, there will need to be detailed consideration as to whether proposals meet the particular requirements and standards set out in planning policy.

#### Zero carbon development

- The application indicates that the development will be true zero carbon to be achieved through fabric energy efficiency, a district heating network powered by local energy centres utilising low and zero carbon technology, and roof mounted photovoltaics.
- The broad requirements of PPS1 ET20 and Policy Bicester 1 regarding zero carbon development are met.

#### Climate change adaptation

- The application indicates that new homes are to be constructed to achieve a minimum of Code for Sustainable Homes Level 5. All residential units are to be designed to Lifetime Homes standards. Commercial buildings are to be constructed to achieve BREEAM excellent.
- Further information on climate change adaptation is given in D and A statement 3.6.5 and Planning Statement para's 6.8-6.9: buildings are to be designed with insulation, shading and ventilation standards exceeding current minimum standards to allow a factor for future proofing. The broad requirements of PPS1 supplement and Policy Bicester 1 appear to be met in this regard but the views of the Design and Conservation Team and Bioregional should be taken into account.

#### Healthy lifestyles

- The application includes a number of measures to encourage and facilitate healthy lifestyles including outdoor play and sport facilities, walking and cycling routes, allotments, outdoor space accessible for all and convenient access to health services to be provided elsewhere on the wider ecotown site.

#### Local Services

- The local centre hubs shall provide for a mix of uses that will include retail, employment, community and residential provision. Education, health care, and indoor sports facilities will be encouraged to locate in local centres and opportunities for co-location will be welcomed. Provision will be proportionate to the size of the community they serve. Each neighbourhood of approximately 1000 houses must include provision for community meeting space suitable for a range of community activities including provision for older people and young people.
- The application indicates that in addition to services provided elsewhere on the eco town, a new local centre is to be provided comprising commercial uses (A1-A5, B1 and B2 on 0.77ha). The application includes 0.47ha of land to accommodate social and community facilities, (class D1), including a community hall. No reference is made to health facilities; Policy Bicester 1 indicates a 7 GP surgery should be located in the southern part of the overall site outside of the application site.

- One new primary school up to 2 FE and playing fields within a site comprising 2.22 ha would be provided, with a further 0.79ha of land to accommodate expansion of the primary school permitted under 10/01780/HYBRID.
- The new primary school would appear to be potentially accessible from at least 2 sides of the site, and is located adjacent to the river corridor/linear park. Policy Bicester 1 requires all homes to be within a maximum of 800m of a primary school. However this is in accordance with the overall masterplan framework plan. County Council views on proposed school provision will be key.
- The level of service and facilities should be assessed taking into account provision committed or proposed elsewhere on the ecotown site as a whole.

#### Green infrastructure

- PPS1 Supplement ET14 and Policy Bicester 1 and the emerging SPD indicate that 40% of the total area should be green space.
- Planning statement para 2.1 indicates the application contains 68.01 ha of green infrastructure, approximately 46% of the site area excluding schools, comprising a range of types of provision, and meets the requirements of PPS1 Supplement ET14, Policy Bicester 1 and the emerging draft SPD in this respect.
- In terms of compliance with Submitted Cherwell Local Plan policy BSC11 as modified, the application generally meets the requirements of the policy

#### Landscape and heritage

- The Environmental Statement includes a Landscape and Visual Impact Assessment (Chapter 5) and a Cultural Heritage Assessment (Chapter 10). The application indicates that this led to retention of farms in masterplan (the two farms are retained but excluded from the application site). Archaeological investigations have been carried out and subsequent mitigation will be required.
- A country park and other GI provision buffers the built development on the north western edge closest to Bucknell. However development in the northern portion of the site extends to the northern boundary and could therefore produce a hard edge. This is in accordance with the overall masterplan framework plan for the site but not the Spatial Framework plan within the draft SPD.
- The movement and access plan on page 67 of the Design and Access Statement indicates that proposed footpaths will link with existing footpaths extending into the countryside to the north of the site.
- The Design and Access Statement indicates existing trees and hedges and those areas to be removed or broken. (Page 53 ) The majority are to be retained. Indication is given that those sections removed will be replanted elsewhere where possible.
- The green infrastructure strategy indicates a 60 m buffer for watercourses (30m strip either side) with a 20m buffer either side of hedgerows. Dark corridors are shown in figure 5. These meet requirements set out in the emerging SPD in this respect.

#### Biodiversity

- The Planning Statement (2.1) indicates that the proposals retain the majority of existing trees and hedgerows, include strategic landscaping and adopt a range of measures, including off-site compensation for the loss of farmland bird habitat, the enhancement of on-site habitats such as hedgerows, woodland and river corridors and creation of new habitats, to encourage a net gain in biodiversity.
- The Biodiversity Strategy is provided in Appendix 6J of the ES. The ES indicates that off-site enhancement for farmland birds in addition to on site measures will be required to secure a net gain.

#### Water

- A Water Cycle Study was produced as part of the masterplan work. The study looks at demand and supply, water quality and water neutrality issues, as required by

policy. The application indicates that water consumption equivalent to BREEAM excellent and Code Level 5, with the aspiration to achieve water neutrality through further options to reduce water consumption, is sought. The masterplan provides two strategies for wastewater treatment; on-site treatment or conveyance to the existing wastewater treatment works. A network of above-ground attenuation SUDS is proposed.

- The views of the Environment Agency and Thames Water should be taken into account in determining the extent to which the proposals meet policy requirements regarding water and the water cycle study.

#### Flood risk management

- All built development is to be located in Flood zone 1. The application is accompanied by a Flood risk assessment. This meets the requirement of PPS1 supplement and Policy Bicester 1, which indicates that there should be no development in areas of flood risk and development should be set back from watercourses which would provide opportunity for green buffers.
- Policy Bicester 1 also requires provision of sustainable drainage in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS), taking account of the recommendations of the Council's Strategic Flood Risk Assessment. The application is accompanied by a SUDS and Drainage Plan BIMP6 109D. The proposals include strategic attenuation ponds and swales.

#### Waste

- The application is accompanied by a site specific covering report which relates to the Sustainable Waste and Resources Plan for the whole Eco-Town site which the Planning Statement indicates will ensure that the overall masterplan strategy is met (waste/recycling stores conveniently located in buildings, areas for green waste composting).

#### Transport

- The applicant's Addendum Description of Development and Application Parameters (December 2014) state that access and movement infrastructure shall be provided in accordance to the Framework Plan (drawing number BIMP6D) and the Movement Access Plan (drawing number BIMP 110C) and that the location of secondary roads will be determined at the reserved matters stage.
- Car parking is to be provided as set out in the Transport Statement (Table 6.5) with details of cycle parking to be provided at reserved matters stage.
- The application is accompanied by a Transport Assessment (Document 10) and a Framework Travel Plan (Document 11). Draft heads of terms include financial contributions towards bus services.
- The application provides for a range of uses including employment, retail uses and community facilities which could contribute to an element of trip containment although overall the aims in PPS1, emerging Local Plan Policy Bicester 1 and Draft SPD with regards to reducing car travel needs to be viewed in the context of the delivery of the entire site.
- The Transport Assessment supporting this application relies on the NW Bicester Masterplan Access and Travel Strategy which concludes the maximum modal share target to be aimed at is 50% by non car modes. Although PPS1 seeks to achieve a higher target of 60%, it is recognised that this was set for Eco-towns located adjacent to higher order settlements. However, even in the case of none higher order settlements, PPS1 seeks a minimum 50% with an aim to increase to 60% overtime.
- The containment of trips within the Masterplan was set at 35% of trips to be within NW Bicester and 60% within Bicester as a whole.
- In relation to this application, the Transport Assessment presents a worst-case scenario for its conclusions on trip generation which results on a 51% car share.
- The transport assessment confirms that this application will have the same access to



sustainable transport as the overall NW Bicester site and thus the targets for containment are likely to be in line with the above although the results for the trip generation for overall 12 hour period estimated 58% trips to be contained within Bicester, just below the target.

- Given the use of a 'worse-case scenario' and that the different mix uses across the Eco-town site are likely to cause variations on the modal shift achieved by individual applications, it is considered that this application fall within the broad terms of the established parameters to meet PPS1 requirements and the aims of emerging Local Plan Policies SLE4 and Bicester 1 for the site. This will need to be monitored alongside other Eco-town applications to ensure the overall achievement of Eco-town principles site wide including the aim of achieving at least 60% non-car modes modal shift over time.
- The Transport Assessment estimates that this application represents 39.5% of the overall impact of the full NW Bicester Development on the highway network and notes that at the time the application was submitted, the Local Highways Authority did not have all necessary information relating to contributions to network mitigation. Nevertheless, it committed to further work with the Local Highways Authority on wider improvements and meeting a proportion of the mitigation package.
- The Assessment identifies measures to directly mitigate the impact of NW Bicester and a number of strategic improvements including a new A4095 NW Bicester link road and improvements to the M40 J9 and J10 which are in line with emerging Local Plan Policy SLE4, Bicester 1 and supporting IDP. These will be subject to further discussion and advice by the Local Highways Authority.
- The Transport Assessment proposes a phased bus service to serve each bus service to serve each phase of development as the site builds up to provide bus routes within 400 metres of dwellings. The frequency of bus services would start at every 15 minutes and increased to 10 minutes subject to commercial viability.
- Supporting information in the Sustainability Statement indicates the walking/cycling distance of proposed homes to services. Distances to school are based on 'as the crow flies' measures, distances to public transport are based on bus routes rather than bus stops and the walkable distance from all housing plots is depicted against a small local shop in the centre of the development and the facilities at the extra care village.

#### Infrastructure

- The application makes provision of 2.2 ha of land for 2F Primary School, 0.88 ha for an extension to the Exemplary primary school, and 0.79h for a possible play field extension to the Exemplar primary school. Draft heads of terms anticipates provision of land and appropriate financial contribution.

#### Health

- The application does not propose a health facility on site. This seems to be in accordance to Policy Bicester 1 which envisages the provision of a 7 GP surgery on the southern part of the Eco- Town.

#### Utilities

- The application is accompanied by a Utilities Statement establishing the likely utility demand generated by the proposal for: Potable water, sewage, electricity and gas. The demands are estimate reductions for Sustainable development in comparison to conventional development. It is unclear how this relates to strategies to deliver Eco Town principles mentioned as part of the supporting information such as the Sustainable Waste Resource Plan and Energy Strategy.
- Application information notes that the proposal has considered the use of waste for potential energy generation and has made provision for potential connect of waste heat from Ardley EfW (if available) in the future and provides land to accommodate an energy centre on site. However, it is unclear how this will be linked to a site wide district heat network to supply hot water and heating and the overall Eco-town energy principles.
- The planning application should be consistent and compatible with the delivery of

neighbouring land to ensure Eco-town principles are achieved site-wide..

- It is considered that the outline transport proposals are in broad accordance to PPS1 principles and emerging Local Plan policy. However, this is conditional to a clear compliance with PPS1 Principle ET21 either by submission at this stage of supporting information or by condition and S106 linked to phasing.

### **Policy Recommendation**

The site is not identified for development in the adopted Development Plan but in the present absence of a five year land supply, its housing policies cannot be considered to be up-to-date. The proposal would entail the development of substantial area of countryside, extend the built-up limits of Bicester towards Bucknell and consolidate on-going development near Caversfield. There would be visual, traffic and other impacts from development that require detailed appraisal in determining whether the grant of planning permission would have adverse impacts that significantly and demonstrably outweigh the benefits.

In making this determination, it must be recognised that the proposed development would deliver a large part of an Eco-Town in general accordance with the national PPS1 Supplement for Eco-Towns and the NPPF's goals of achieving sustainable development including new homes and economic growth and achieving the transition to a low carbon future. The objectives of the modified Submission Local Plan, its strategy for Bicester and draft Policy Bicester 1, all support the delivery of Eco-Town development in the proposed location, albeit having limited weight at this stage. The application is for substantial development that would predetermine the Local Plan Inspector's conclusions on the Submission Local Plan and, in particular, Policy Bicester 1. It would also predetermine the formal approval of a masterplan for the entire Eco-Town site; a masterplan required by the PPS Supplement and Policy Bicester 1. However, the application is supported by a masterplan framework which has been included in an emerging SPD and which explains how the proposed development has been planned, and would be delivered, as part of a comprehensive and integrated approach to the North West Bicester site which has been worked on collaboratively by the site promoters and the Council. Furthermore, while this is an outline application with all detailed matters reserved, this is a proposal for development that will contribute significantly to the delivery of Eco-Town Development including zero carbon homes and proposals for climate change adaptation. Detailed points are raised in this response that will require further consideration, but subject to these there is no objection from a planning policy perspective.

- 3.3.2 **Community Services Manager** comments as follows; There is already a small community hall that has been agreed for the north side of the railway line within the exemplar for which no further requirements can be made.

The second larger community centre which we envisage will be a "cultural centre" needs to have a relationship with the allotments/community farm. This cannot happen with the school is nearest to the allotments/community farm. The "cultural centre" should be located by the allotments/community farm as it will have an impact on the usage of the educational element of the "cultural centre".

With regards to the draft heads of terms we need to also have included :

- A commuted sum for both the smaller and large community centres.
- A community development sum

A sum for events and projects.

- 3.3.3 **Anti Social Behaviour Manager** advises

The noise survey work indicates that the majority of the site is suitable to be developed without additional noise mitigation measures to protect the amenity of the future occupants of the dwellings.

Those areas of the site that are subject to elevated levels of noise principally from road traffic sources must be clearly identified and 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.

Noise from construction activity has been assessed and the applicants indicate that noise standards and proposed methods of control will be presented in more detail in a Construction Environmental Management Plan. The preparation and submission of such a plan must be conditional to any approval given.

Noise from fixed operational plant and equipment is also considered. It is recognised that the detail of this equipment has yet to emerge and that when this has been finalised it will be assessed in accordance with BS 4142:1997.

### 3.3.4 **Landscape and Street Scene Manager** comments;

Bucknell Ridge Character Area

In consideration of Housing Character and Density plan BIMP6 112E.

The central core of the development will be an obtrusive element in the landscape with a medium to high density development. It is therefore deemed to be of a medium impact rather than the low weighting given in the LVIA report. Although the landscape is of a low sensitivity and in theory will have the capacity to accept such development, with a neutral effect due to 'assimilation' into the landscape by landscape mitigation, the visual effects will be such as to be medium weighting and landscape mitigation is necessary. I think the existing on-site farmstead building clusters could inspire the design layout in the low density NW band of development, with clear open areas of POS with low level containment of existing and new hedgerows, tree and woodland planting. This is referable to a clearly defined built edge on the northwest area which would normally require extensive landscape structure planting to screen it. With the country park and the 'farmstead clusters' views open up into, and out of the built form. Obviously parcelling up such low density/open spaces will not be attractive to prospective developers. The built edge, however, has developed a natural curvilinear outline that could evolve into an acceptable design.

The openness/allowance of certain attractive views of the development could perhaps be experienced from these locations. With the built form design progression, photomontages of views overlaid with built form (land marks, etc) could be presented to us for consideration, however, need to protect the setting of Bucknell is paramount.

Bucknell Valley Corridor Area

In consideration of Landscape Parameter Open Space Strategy plan BIMP6 1080

In reference to Para 5.7.1.4. I would disagree with the term that.....'development will alter the existing landscape through the introduction of a new high quality built form (my emphasis). It is clear from the above plan that the corridor is proposed to have a burial site, water treatment plant, community farm and school playing fields; there will no form of the density proposed on plan BIMP6 112E. The character will not change as significantly with the aforementioned, low-key uses and therefore its capacity to accept such development is high, and localised landscape mitigation can be considered.

### 3.3.5 **Arboriculture Officer**

I would agree with the identification and categorisation of the trees on site as listed within the tree survey reports. I would however question and resist the proposal to translocate further hedgerows until there has been a full inspection and evaluation on the hedgerows previously translocated to facilitate the Exemplar development. The report should be undertaken by A2 Dominion with copies of the findings forwarded onto to Cherwell District Council.

No further translocation of live material should be undertaken until such a report has been

provided.

The tree surveys seek to repeat the previous approach with protective fencing for vegetation by proposing different specifications for fencing type based upon the 'usage' of the adjacent land (Low, Medium, High). This is acceptable however the fencing type must be clearly identified within an agreed Arboricultural Method Statement which may be subject to condition.

3.3.6 **Strategic Housing Officer** has no objection to the principle laid out in the submitted information by the applicant.

The Affordable Housing Strategy does accurately detail the quantum of affordable housing being 30% with a headline tenure split of 70/30 rented and shared ownership.

The affordable housing should, on the whole be delivered evenly across the application site albeit there will need to be more detailed discussions when the reserved matters is submitted.

There will need to be a range of house types provided from 1 bed flats/maisonettes, to 4 bed houses in order to cater for the housing needs, which is anticipated for the district over the coming years. The proportions of which will follow the indicative affordable housing schedule which has been supplied to the applicant, although will undoubtedly need to be to be adjusted at reserved matters stage in order to take account of circumstances at the time.

As detailed within the submission, all units will meet Code for Sustainable Homes level 5 and Lifetime Homes Standard.

The clustering of the affordable housing has been detailed in the Affordable Housing Strategy as 'small'. The detail of this will need to be agreed at reserved matters stage, however I would expect in large, that the clusters will follow CDC's standard approach in that there will not be more than 10 units together of one tenure or not more than 15 together of mixed tenure.

The Affordable Housing Strategy does make reference to the Local Lettings Plan, determining that it has been finalised. This is not the case and further discussions between A2D and the Council in order to finalise the draft local lettings plan are required and ongoing.

The application also includes reference to the delivery of extra care housing on this Application 1 site, how much or little affordable housing will play a part of this extra care housing delivery will require further discussions with the applicant and almost

certainly the ultimate provider of this type of accommodation. However it is expected that there will be an element of affordable housing provision within this kind of facility.

3.3.7 **Urban Design Team Leader** comments as follows;

General Comments

- While the DAS includes considerable statement of intent in respect to the delivery of high quality urban design, little of this is reflected on the resulting Framework Plan;
- Clearer distinction between what details of the DAS form part of the application and what is shown as indicative/illustrative is required;
- The Framework Plan is of an insufficient scale and detail to provide any level of certainty of outcome and is a poor reflection of the level of analysis and thought that has clearly been undertaken. As a minimum, the framework plan should show an indicative street and block structure in order to demonstrate that the strategic, primary and secondary streets are appropriately located to enable the intended connected street network, optimum

block sizes and urban densities to be achieved;

- The connection between urban densities (net and gross) and the viability and vitality of local centres and public transport facilities is not clearly articulated in the DAS or on the Framework Plan. Given the decline of many centres and high streets in established areas, robust quantitative evidence is required to demonstrate how the centre(s) will be supported;

Site and Context

- The redline boundary excludes parcels of land including Hankwell Farm and Lords Farm. No details of the interface between the application site and these sites are included in the application with residential and other land uses just abutting the boundaries. This creates some awkward development parcels (especially around Lords Farm) and a potentially abrupt transition between land uses. The secondary road shown to the north of Hawkwell Farm passes through the site boundary and it is unclear whether it is to be delivered or not as part of this application.

Movement and Layout

- A strong sense of overall structure and legibility is currently lacking from the Framework Plan. While it is understood that the layout is landscape led, it must also become a clearly legible and efficient urban environment. The balance between existing landscape features and urban efficiency is not clearly articulated on the Framework Plan;

- The primary road corridor through the residential area is very convoluted. This detracts from any sense of legibility and appears quite inefficient as a primary movement corridor serving cars, buses and commuter walking and cycling. It is understood that the alignment is dictated by the need to achieve every house within 400m of a bus stop. A balance therefore needs to be struck between achieving this numerical target and ensuring a clearly legible and efficient urban structure. It would be inappropriate, in my view, to add to all journey time in order to be within 400m of the most outer lying and low density residential areas. Direct and efficient walking connections to these outer lying areas could overcome the slightly longer distance;

- It is impossible to assess the merits of the secondary road corridors as these are only shown as disconnected spurs. A full movement network diagram is required for the purposes of assessment, even if this is indicative at this stage. As currently shown – the secondary roads could serve any configuration of connected or disconnected streets.

- A network of connected streets should be at the heart of the layout principles and not be overly compromised by strict adherence to historic field boundaries. Such boundaries may appear quite arbitrary in a fully urbanised area if they do not support an efficient and logical urban structure.

- There is a confusing pattern of roads shown in the south-west corner around the centre and at the intersection with the strategic road. A more detailed plan is required showing how this area will function;

- The DAS expresses support for multi-modal corridors and segregated pedestrian/cycle routes. Both have a role to play, but for commuter and essential routes, mixed modal corridors will ensure higher levels of activity and surveillance during different times of the day and night than segregated corridors.

Local Centre

- Efficient use of the immediate 400-450m walkable catchment of the local centre is crucial to its long-term viability and vitality and is the best opportunity for higher density residential development. This opportunity is undermined by a proliferation of large footprint non-residential land uses within this immediate catchment including Lords Farm, Hawkwell Farm, School and playing fields, Bure Stream parklands, community farm and allotments. Gross residential densities within the immediate catchment are therefore likely to be quite low. Have alternative locations for the centre been considered and tested? It is recommended that detailed viability assessment of the proposed centre is undertaken based on expected residential yields set out in the Framework Plan and having regard to existing precedent examples;

- A block masterplan of the local centre is required showing the full extent of the centre and how it relates to the school, community facilities and employment units;

- The sketch layout of the centre on p83 of the DAS shows extra care housing in blocks with courtyards opening up to the stream. Unfortunately the stream is located on the

north-side of the blocks and the proposed courtyards will be largely shaded from the sun. The illustration of the centre on p84 is unrelated to the sketch layout on p83.

#### Character, scale density and heights

- Limited information is submitted in respect of character;
- The three basic density and building height types are broadly acceptable although minimum heights in higher density areas should be raised from the blanket 4m across all types to require min 2 storey buildings;
- As above, higher density development is likely to be required to support the proposed local centre and public transport services;
- No objection to basic street type sections.

#### Housing layout

- I would question the principle that 'the housing layout is based upon the existing framework of green spaces and hedges' if this is pursued to the detriment of an efficient and effective urban structure and layout;
- Typical housing layout studies are generally supported albeit little innovation is shown that reflects the wide ranging precedent images shown.

#### Parking

- A standard approach to car parking is proposed with standard levels of private on-plot parking plus garages. This makes no attempt to support modal shift at the individual dwelling level and reinforces the convenience and dominance of the private car. Despite this, p102 states that 'parking and road layout will serve to limit private vehicle use'?
- A range of alternative parking strategies are available that would genuinely support modal shift and free up valuable space around homes for more efficient use of land such as undesignated on-street parking (max flexibility/ min cost/ competition for spaces/ strong UK precedents) and communal car parks (e.g. Vauban/ allocated spaces/ car free streets) etc.
- Bicycle parking to the front of properties would enhance its visual presence and make cycling more convenient for short journeys.

#### 5. Conclusion

Having reviewed the Design and Access Statement and Framework Plan, I consider that insufficient information on matters of urban design is provided to support an outline application of this scale. A more detailed Framework Plan is required, and at an appropriate scale, showing a full network of streets and blocks in order to assess whether the land uses, strategic and primary streets are appropriately located. I have some concerns in respect of the alignment of the primary street. Further information in support of the local centre is also required to demonstrate its likely viability and greater innovation is sought in respect of housing layout and parking allocations.

- 3.4 **Oxfordshire County Council** comments are detailed and you are encouraged to read them in full on line. They are summarised below;

This application forms part of the strategic site allocation Bicester 1 within the emerging Cherwell Local Plan. Oxfordshire County Council support the principle of the North West Bicester site which has been the subject of ongoing joint working between OCC, Cherwell District Council and the Eco Bicester Strategic Delivery Board.

OCC has serious concerns about the uncertainty of delivering key infrastructure across the wider masterplan site caused by the piecemeal nature in which applications are coming forward. The funding and phasing of infrastructure across the site is dependent on if and when individual site applications come forward. For example, mitigation for this development is dependent on delivery of the secondary school which is part of Application 2. Further, with the absence of a Community Infrastructure Levy in Cherwell, it is unclear how the County will be able to seek contributions to county wide schemes such as Household Waste Recycling Centres, the Museum Resource Centre and the Central Library, all of which will be put under strain by this development. This puts the County Council at significant financial

risk. Until it is clear how infrastructure will be delivered across the masterplan site, OCC maintains a holding objection.

## **Transport**

No objection subject to conditions.

### Summary of Transport Assessment (TA)

The proposed development will be located off the A4095 (classified A road). Access to the application site is to be taken via the realigned A4095. Within the submitted TA it has been stated (paragraph 12.8, page 72):

“That the provision of the mitigation measures and/or a proportionate contribution to measures will address the impacts of NW Bicester on the road network as well as support improvements to the town’s infrastructure. The Application 2 development on land south of the railway will support the measures in proportion to the scale and traffic impact of the development as part of the NW Bicester Master plan. The measures supported will assist the County Council in addressing a range of town wide transport issues which are identified in the LTP3.

The provision of high quality sustainable travel infrastructure, together with the travel planning measures to promote sustainable travel will ensure that the PPS1 targets are met. This will help make the vision for NW Bicester a reality.

It is concluded that there are no transport reasons why the development should not be granted consent”.

A review of the accident data for the area has been carried out, which found a number of incidents had occurred; looking at the information provided the incidents involved were down to driver error rather than the characteristics of the local highway network.

A review of public transport, pedestrian and cycle accessibility has been undertaken.

A Travel Plan for the site is proposed.

### Traffic Generation and Local Impact

The trip generation figures that have been submitted as part of the TA (page 75 to 86 and appendix 5) appear to be reasonable; as consideration has been given to the TRICS database, the national travel survey data available, the agreed containment factor of 35% of trips to be within the NW Bicester site and the aspirations of PPS1: Eco Towns.

The issue of monitoring the 35% containment of traffic movements within the site is an item that does not appear to have been covered in the TA. However, looking at the submitted Framework Travel Plan (Chapter 6), this requirement (and others) is mentioned alongside remedial actions if the agreed travel plan targets are not met. These travel plan details will need to be included within a future S106 Agreement for this application.

In regard to the proposed remedial actions under paragraph 6.5 (page 59 of the Framework Travel Plan), these detail are unclear/are not identified which requires addressing with consultation (and agreement) with the Local Planning Authority (CDC) and OCC as the LHA (further information required).

Paragraph 11.10 of the submitted TA identifies a number of mitigation measures for the whole of the Bicester 1 (NW Bicester) site to provide. However, the TA does not provide any details of what measures are proposed to be delivered by planning application 14/01384/OUT, other than this application will represent a 39.5% impact (over 12 hour period) on the local highway network - and a proportionate contribution towards mitigation measures will be made.

A review of the accident data for the area has been carried out, and has highlighted a high number of incidents has occurred within the last 5 years. Looking through the information provided it appears that the majority of reported incidents were down to driver error rather than the characteristics of the local highway network. However, in light of this data it is important that the proposed development considers these identified areas (identified in paragraph 3.9.3 of the TA) as part of the detailed stage(s) of the off-site works and appropriate road safety audits.

### Construction Traffic Management Plan (CTMP)

The expected overall construction phase of Bicester 1 (NW Bicester) is around 20 years

from the anticipated commencement date of 2019. Due to the significant size of the proposed development a high number of heavy goods vehicles (HGVs) are expected to be generated by this development. To ensure residential areas are avoided and protected during the build out periods of the development site a routeing agreement for HGV construction vehicles is to be secured as part of a CTMP (to be imposed as a condition). The HGV route to be used during the life of the construction period (to be reviewed annually until the whole of Bicester 1 is built out) is to be via the A41/Vendee Drive from J9 of the M40 and the new Howes Lane/Lord's Lane.

#### Layout Comments

The proposed development has been submitted as an outline planning application, with all other matters reserved apart from access. The internal layout of this site will therefore be finalised as part of a detailed design stage, which is expected to establish a design code for the whole of application site. Such a design code is expected to include a street hierarchy, to be in line with MfS etc. Such a design code is considered essential for this development (and the remainder of the NW Bicester site). It is essential that the requirement for a design code for this site is imposed as a prior to commencement of work planning condition. It is noted that within the submitted Design & Access Statement dated August 2014 (pages 88 to 91) that a proposed street hierarchy is proposed. At this time such a proposal cannot be agreed/approved by OCC as the LHA without further information i.e. internal layouts, location of land uses proposed within the development site etc.

If the proposed development is to be offered for adoption to the LHA a S38 Agreement(s) will be required, alternatively if the development is to remain private a Private Road Agreement(s) will be required between the developer and OCC.

School drop off/pick up requirements have and continue to be an issue for proposed and existing school sites around the county. Due to the significant size of this application (and the overall Bicester 1 site) it is important to identify the potential transport related requirements for the primary school site included in this planning application. Below is a list of the standard LHA requirements for a primary school site:

- Primary school(s) site located near local centre site(s) to ensure linked journeys for school run and deter on-street parking where appropriate by design.
- A coach layby (possibly 2 spaces) is required.
- On-site parking for staff at an operational level with some visitor parking.
- Excellent footway and cycleway connections to school and surrounding areas.
- Future school travel plan will need to accord with the overall NW Bicester Travel Plan framework.
- No specific/formal parent drop areas are to be provided on the highway due to the nature of this eco site.

#### Transport Strategy Comments

"Given the scale of the master plan development area and its impact on key transport corridors of Bicester the developers agreed to make use of the county council's SATURN model which was developed to test land use options and road schemes for the Local Plan process. This model was re-based in 2012, and officers have accepted that it is a suitable tool for these assessments. Officers have been closely involved with technical work for the proposed development as it has evolved.

The transport strategy for Bicester has since 2000 been based around maximising use of the peripheral routes and minimising the amount of traffic travelling through the central corridor which is not visiting the town centre. The recently revised area strategy in the Local Transport Plan (LTP3) states that the county council will seek opportunities to improve access and connections between key employment and residential sites and the strategic transport system; work with strategic partners to develop the town's walking, cycling and bus networks and links between key development sites and the town centre and railway stations, and will work to get the most out of Bicester's transport network by investigating ways to increase people's awareness of the travel choices available in Bicester. Each of



these principles is vital for this development, given the overall scale and also the eco-principles that need to be met.

Delivering a strategic perimeter route around the town is the key component of the area transport strategy. County council officers and Members voiced concerns through the master plan process recently about the Howes Lane realignment proposals and in particular the speed limit proposed and the impact of this on other routes in the town. The Transport Assessment (TA) for this current application goes a long way to address these concerns by explaining how the corridor will maintain its strategic function (section 11.2 in the transport assessment) however the speed limit remains a concern and needs further verification through the planning application for the realigned road.

Of concern to the county council is the impact on the northern and eastern sections of the peripheral routes and on the central corridor. The TA demonstrates how the development of 2,600 houses north of the railway has a minor impact on the eastern peripheral route (Table 10.1 suggests only a 4% impact from the development at the A4421/Skimmingdish Lane junction), but a high impact through the central area, albeit in combination with other growth within the town (section 11.4.2). These two matters are intrinsically linked. Traffic will only switch to using the peripheral routes if these are functioning effectively. Therefore it is essential that the development contributes towards schemes to address capacity problems on the northern/north-eastern sections of the peripheral routes as well as schemes to improve the central area for bus passengers, cyclists and pedestrians. This can be dealt with through S106 negotiations”.

The combined effect of additional growth and changing the nature of Howes Lane raise concerns about the long term impact on peripheral routes around Bicester. Work looking beyond the Local Plan period suggests that there could be a need for a north-west link road. Land within the northern redline boundary of this application should therefore be dedicated for this purpose.

#### Public Transport Comments

The developer is required to provide a new bus service, linking the site with Bicester Town Centre and the rail stations. Onwards connections by bus and rail to other destinations will be available from these destinations.

There is an understanding that the NW Bicester site will require two separate bus services, one for each side of the railway line.

OCC does not have any access to general revenue funding to provide, or contribute towards, bus services to and from this site. The developer is required to deliver an attractive, but commercially viable, bus service, which will operate without any form of subsidy, once the period of time of agreed financial support, or amount of money made available by the developer, has been exhausted.

The eventual service level for this development site of 2600 dwellings (which would also incorporate the Exemplar site of 397 dwellings) has been assessed as requiring 4 buses to fulfil the stated eventual service level. This is based on the delivery of a 10 minute frequency (6 buses per hour) with a round-trip journey time from Bicester Town station, around the development and back to Bicester Town, of between 30 and 40 minutes.

The initial bus service from the first completion would commence with a single vehicle and then the frequency of the service would be increased at agreed trigger-points, to a two-bus service, a three-bus service and eventually a four-bus service. There would also be specified levels of service for evenings, Sundays, public holidays.

#### Travel Plan Team Comments

“Outline Application, NW Bicester Planning Application 1: Framework Travel Plan (July 2014) was submitted with the application documentation. This document sets out the overarching objectives and targets for the site and is acceptable. However, it will need to be

updated as the site builds out to take into account any future changes of the site's land uses.

The target for the site is to have 50% all trips originating from the site by non-car modes. This is an ambitious target and will need to be carefully monitored as part of the on-going site-wide travel plan monitoring requirements. The developer will be expected to carry out bi-annual surveys (years 1, 3 and 5 post first occupations) to show that the travel plan objectives are being achieved and that any identified actions have been updated to take in to account the survey results.

The layout of the site should be set out to provide direct walking and cycling links across the site and should be linked in to the existing walking and cycling networks, the Access statement supplied with the application set out how the developer will achieve this. Housing on the site should be within 400m of a high frequency bus stop with good direct walking access to them”.

#### Drainage Team Comments

. Greenfield run-off rate or better from the site will be a requirement on this development.

Please supply the following information:-

- A full geotechnical report is required due to high ground water problems
- Existing Surface water flood flow map
- Flood Routes on the proposed development
- I have concerns regarding the downstream villages if this development's sewerage is piped to Bicester Sewerage Works due to out of catchment water discharge to the local streams
- An onsite sewerage works should be considered as the flows from these works can be controlled to green field run off discharge”

#### Rights of Way Comments

The Environmental Statement (ES) considers impacts on public rights of way and appears adequate. The TA and master plan includes a reasonable range of on-site access, recreation/open space and green infrastructure measures, but it is noted that the TA audit of external walking and cycling routes did not include access to the wider countryside. The applicant should also consider and make onsite provision for the 25% of households that are likely to have one or more pet dogs (Pet Food Manufacturer Association figures) and who will need access to exercise areas.

#### Additional Comments

Further to the original submissions and the transport recommendations provided by the County Council, the applicant has provided further information and detail as requested. In its previous response the County Council had sought further detail with regard to access arrangements, junctions, parking provision and had sought assurances relating to obligations expected of the development site both in isolation and as part of the Bicester Eco Town development.

#### Access, Junctions, Traffic Signals

Plans have been submitted that provide further clarity and are acceptable in principle. Works will be subject to technical approval, including matters such as construction specification and road safety audit.

#### Parking Standards

The applicant has provided an addendum to the Design and Access Statement making clear the proposed parking provision. The proposed standards are considered appropriate.

#### Heads of Terms and S106 Delivery

The applicant has provided a paper with regard to the phasing and trigger points for the off-site transport works. They proposed the following schedule:

Priority in Timescale	Transport Infrastructure	Suggested Trigger	Comment
1	Bucknell Village Traffic Calming	Prior to first occupation (during construction phase)	Related to all NW Bicester development as well as existing issues and overall planned growth
2	A4095 NW Strategic Link Road: Shakespeare Drive to Lords Lane	900 homes	Related to all NW Bicester development and overall planned growth
2	Shakespeare Drive Walking and Cycling Improvements	900 homes (in parallel with the Link Road)	Related to all NW Bicester development to the south of the railway.
2	B4100/ Caversfield junction safety improvements	900 homes	Related to all NW Bicester development to the north of the railway as well as existing issues and overall planned growth
3	A4095 NW Strategic Link Road: Western section from Middleton Stoney Road to Shakespeare Drive	1200 homes	Related to all NW Bicester development and overall planned growth
4	A4095/ B4100 Banbury Road roundabout capacity improvements	1500 homes	Related to all NW Bicester development and overall planned growth
5	Exemplar Southern Access Junction	1800 homes of Application 1 (3793 homes of overall NW Bicester development)	Related specifically to Application 1. Improvements may be most appropriately undertaken in combination with the A4095/ B4100 Banbury Road roundabout however.

The suggested trigger points include the 393 homes at the Exemplar, therefore 900 homes means 500 homes post Exemplar phase.

County Council officers are satisfied the methodology and conclusions are reasonable; however, further detail will be required in respect to the 'southern' applications.

The Bucknell village traffic calming measures are required at the earliest stage to counter any impact on the village, particularly during the construction phase.

The strategic link road is the key project in terms of phasing and is required by the 900 homes stage due to the potential impact on the current Howes Lane / Bucknell Road junction. Junction modelling demonstrates the junction would be over capacity by the 900th occupation.

It is agreed that the safety measures for Caversfield should be delivered at an early stage to avoid any impact on Caversfield residents and clearly to avoid any safety concerns before they arise. The predicted impact on Shakespeare Drive from existing trips finding alternatives routes into the town centre is accepted and therefore remedial measures are required at an early stage. The exact scheme will require appropriate consultation with local people and will be required at an early stage of build out of the applications to the south of the railway.

The continuation of the new link must be timed/coordinated with the build out of the southern developments. The B4100 junction improvements and southern access to the exemplar will be required at a later stage in the developments build out and so are not triggered until the 1500-1800 occupation stage.

The above table is agreed, however it does not include the provision the pedestrian cycle way tunnel under the railway. The County Council seeks provision of this link prior to the

900th occupation.

In its previous response the County Council made the following observation:-  
'The combined effect of additional growth and changing the nature of Howes Lane raise concerns about the long term impact on peripheral routes around Bicester. Work looking beyond the Local Plan period suggests that there could be a need for a north-west link road. Land within the northern redline boundary of this application should therefore be dedicated for this purpose.'

However, given further consideration with regard to planning policy and Community Infrastructure Levy the County Council does not consider it expedient to pursue this matter.

### **Archaeology**

The site is located in an area of archaeological interest as identified by a desk-based assessment, a geophysical survey and a trenched evaluation. A further programme of archaeological investigation and mitigation will need to be undertaken ahead of any development. This can be secured through a condition on any resultant planning permission.

### **Economy & Skills**

The Economy and Skills Team have been involved in the development of the Economic Development Strategy for the Bicester Eco Town and are satisfied that employment and training opportunities will be made available to local people during the construction and end user phase of the development.

### **Education**

OCCs requirements for primary schools are detailed including detail of off site parking for coaches and parents to drop off and pick up children.

### **Extra Care and Specialist Housing**

The Oxfordshire County Council Market Position Statement: Extra Care Housing March 2014 states the requirement of 170 units of affordable Extra care Housing across the entire Bicester Ecotown development. This application being a part of the overall 'Ecotown' will be required to deliver an affordable 60 unit ECH development (in addition to the 250 unit extra care village)

A further 25 units of Specialist Housing is also required across the Ecotown. The breakdown across the development per application is to be confirmed with the District Local Library

Oxfordshire County Council has an adopted standard for publicly available library floor space of 23 m<sup>2</sup> per 1,000 head of population, and a further 19.5% space is required for support areas including staff workroom, totalling 27.5 m<sup>2</sup>. The Bicester library provision is significantly under-size in relation to its catchment population and this development will therefore place additional pressures on the library. A new library is planned for Franklins Yard development and contributions are required from all development in the locality to fund this community infrastructure with £487,205 still to be secured from the total £1.2 M capital cost at 3rd Quarter 2013 price base index.

In addition a library link model 25 m<sup>2</sup> fitted out as a part dedicated part flexible space as part of the new community centre is required. This will function in conjunction with the Oxfordshire Central Library in Oxford utilising its resources and also work in conjunction with the new Bicester Library once delivered and implemented as part of the District Council development at Franklins Yard.

### **Central Library**

Central Library in Oxford serves the whole county and requires remodelling to support service delivery that includes provision of library resources across the county.

### **Strategic Waste Management**

Under Section 51 of the Environmental Protection Act 1990, County Councils, as waste disposal authorities, have a duty to arrange for places to be provided at which persons resident in its area may deposit their household waste and for the disposal of that waste. The proposed residential development will increase demand for recycling facilities in the area. The nearest household waste recycling centre (HWRC) we provide is Ardley HWRC. Regardless of the review of HWRC provision, in view of the additional demand that would be generated by the proposed development for reuse, recycling and composting facilities in Bicester we will seek contributions towards meeting the increased demand

### **Integrated Youth Support Service**

The Early Intervention Service offers high quality early intervention and specialist services to children, young people and families with additional complex needs, both through county council staff and across partner agencies.

All community partner agencies are actively involved in service delivery to ensure integrated and inclusive solutions to best improve outcomes for children and young people from birth to 19 years (up to 25 years where there are special educational needs).

The Bicester Early Intervention Hub is currently operating at capacity in the delivery of specialist services.

The proposed development and other planned development in and around Bicester will generate further demands on the Early Intervention Service. This proposal is forecast to generate 518 residents aged 13-19.

To adequately address the increased needs, the County Council requires 15sqm of storage for youth kit to be designed into the community hall. This storage space should be able to be accessed internally and externally.

### **Adult Learning**

The Adult Learning Service offers a wide range of educational and recreational courses to cater for all ages and abilities. The Adult Learning Service in Bicester is currently based at Bicester Community College.

The proposed development and other planned development in and around Bicester will generate further demands on the Adult Learning Service. This proposal is forecast to generate 4605 residents aged 20+.

To adequately address the increased needs, the County Council requires 40sqm of space which is suitable for adult learning to be designed into the community hall.

### **Health & Wellbeing Resource including Day Care Facilities**

To meet the additional pressures on Health & Wellbeing provision the County Council is planning to expand day care facilities at Bicester Health & Wellbeing Resource Centre. Current demand is above service provision capacity of 40 places per day at the current site accounting for ward –based catchment areas in terms of population. This proposal will increase pressures on the current service.

Contributions are based upon a 230 m<sup>2</sup> expansion providing an additional 10 places to the existing service at Launton Road.

### **Administration**

Oxfordshire County Council requires an administrative payment of £25,000 for the purposes of administration and monitoring of the proposed S106 agreement, including elements relating to Education.

### **Indexation**

Financial contributions have to be indexed-linked to maintain the real values of the contributions (so that they can in future years deliver the same level of infrastructure provision currently envisaged). The price bases of the various contributions are covered in the relevant sections above.

### **Security/Bonds**

Given the scale of the contributions, where the triggering of payment of financial contributions is deferred to post implementation of the development, it will be necessary for

the S106 agreement to include provisions for appropriate security by the landowner/developer for such payments.

### **General**

The contributions requested have been calculated where possible using details of the development mix from the application submitted or if no details are available then the County Council has used the best information available. Should the application be amended or the development mixed changed at a later date, the Council reserves the right to seek a higher contribution according to the nature of the amendment.

The contributions which are being sought are necessary to protect the existing levels of infrastructure for local residents. They are relevant to planning the incorporation of this major development within the local community, if it is implemented. They are directly related to this proposed development and to the scale and kind of the proposal.

### **Ecology**

The applicant has used a recognised biodiversity metric which demonstrates how the development should deliver a net gain in biodiversity (in line with NPPF).

- Appropriate management and monitoring of the site could be crucial to whether the proposed development would be able to deliver a net gain in biodiversity.
- The applicant proposes that a LHMP (Landscape & Habitat Management Plan) would be produced for each reserved matters application. The LHMPs would contain both management and monitoring proposals.
- I support the principle of off-site mitigation for farmland birds. However, I have some comments and suggestions on the details of the method of achieving this.

#### **3.4.1 Cllr. Les Sibley, Cllr. Michael Waine, Cllr. Lawrie Stratford, Cllr. Mrs Catherine Fulljames and Cllr. Tim Hallchurch** have provided the following representation;

We are unable at this time to put forward meaningful comments until we have a better understanding of how the realignment of Howe's Lane & Lords Lane will impact on other roads regarding traffic flows and movements in and around Bicester, particularly the Middleton Stoney and Bucknell Roads. More evidence is required to demonstrate the advantages if any that the new tunnel and road will deliver.

With many new developments in and around Bicester the Oxfordshire County Council and Cherwell District need to ensure that there are robust conditions in place for developers to build roads to the appropriate highway standard, and in particular, the Howe's Lane re-alignment.

We have strong concerns about the implied intention of 'downgrading' Howe's Lane from a semi-fast perimeter or orbital road to a residential estate road, without any meaningful alternative options should the remaining 'eastern by-pass' become blocked.

We are of the view that the knock-on effects have not been fully considered. There needs to be a proper balance between the aspirations of the 'eco development' and existing residents in Bicester and surrounding villages.

So given the un-certainties and potential for further change we believe all options should be kept open especially at this early stage in respect to the 'replacement' road for Howe's Lane and the proposed 30 mph speed limit.

Under the Access and Travel Strategy, we welcome, support and note Para 4.2 – High Quality Walking and Cycling Linkages which includes Primary & Secondary connections from NW Bicester as outlined on Pages 11-15 of the Strategy document.

We draw your attention to page 14 –Primary Connections and note that the Middleton Stoney Road is listed as Primary Route 1 with cycling and walking routes which should be segregated from traffic – all weather surfaces – lit – be a direct route.

Given the above - How will this impact on the recent decision by the Oxfordshire County Council and developers to install Road Humps, Advisory Cycle Lane (painted white line)

with no footpath on the south side with a poorly maintained footpath on the North side of the Middleton Stoney Road?

We are concerned at the lack of adequate, cycle-ways and footpaths provision through-out Bicester and would urge Developers, Cherwell District and the County Council to note:-

Section 4, Promoting sustainable transport, paragraph 35 of the National Planning Policy Framework (NPPF) states: - Plans should protect and exploit opportunities for the use of sustainable transport modes for the movement of goods or people. Therefore, developments should be located and designed where practical to

- accommodate the efficient delivery of goods and supplies;
- give priority to pedestrian and cycle movements, and have access to high quality public transport facilities;
- create safe and secure layouts which minimise conflicts between traffic and cyclists or pedestrians, avoiding street clutter and where appropriate establishing home zones;
- Incorporate facilities for charging plug-in and other ultra-low emission vehicles; and
- consider the needs of people with disabilities by all modes of transport.

We would also draw your attention to the Goals and Objectives as outlined in the 'Connecting Oxfordshire' consultation document on the new Local Transport Plan especially Objective 8 which seeks to 'Encourage and facilitate physically active travel (walking and cycling) to support health'

There are a number of other issues that we would like more information on before responding in more detail such as:

Adequacy of School places for secondary and primary education.

We are strongly opposed to any Industrial Storage and Distribution Development on the corner of Howes Lane and Middleton Stoney Road which will be a blight on the skyline of the local residential area.

We wish to see appropriate levels of recreational space for the NW Bicester site.

We have grave safety concerns about the capacity of the Middleton Stoney Road to accommodate the planned increased usage by buses of the road, to the detriment of other road users, cyclists and pedestrians

### **3.5 Other Consultation Responses**

#### **3.5.1 Network Rail Comment** as follows

It is noted that the proposed development includes a proposed new road under bridge and pedestrian/cycle under pass which will affect Network Rail's operational railway line between Bicester North and Banbury. Whilst the applicant A2Dominion Group held an initial meeting with Network Rail representatives from LNW Route and Property on 9th July 2014, further discussions will be necessary over the design and implementation of the proposed two new under bridges as they will have a material impact on Network Rail's operational railway.

Cherwell DC should note that the proposal is in the early stages and as such we have included conditions which we believe are necessary to ensure the safety, operation, performance and integrity of the operational railway and Network Rail land are not impacted by the proposal.

The proposed development would have an increased amount of water to manage, but the proposed SUDS system on the northern half of the development will direct water away from the railway and into ponds. This is not expected to create any hardstanding areas of concern.

#### **3.5.2 The Highways Agency** have no objection and comment as follows;

The HA will be concerned with proposals that have the potential to impact the safe and efficient operation of the SRN. We understand that the cumulative impacts of growth on M40 junctions 9 and 10 as a whole from proposals set out in Cherwell District Council's Local Plan up to 2031 is currently being considered (particularly additional growth). Any further infrastructure proposals that impact directly or indirectly on the SRN will be identified

through this assessment. We offer no objection to this proposal, however we remain concerned about the potential cumulative impact of growth on M40 junctions 9 and 10 post 2031. As the North West Bicester Masterplan Supplementary Planning Document (SPD) is developed, any proposals at the North West Bicester site post 2031 would need to fully assess its impacts and if necessary identify measures/proposals to mitigate the potential impacts.

We request to be consulted on any subsequent Construction Management Plan produced to support the proposal and would look to the site promoter to identify opportunities to reduce trips during peak periods which could minimise any potential impacts on the SRN.

### 3.5.3 **Thames Water**

#### Waste Comments

Following initial investigation, Thames Water has identified an inability of the existing waste water infrastructure to accommodate the needs of this application. Should the Local Planning Authority look to approve the application, Thames Water would like the following 'Grampian Style' condition imposed.

Surface Water Drainage - With regard to surface water drainage it is the responsibility of a developer to make proper provision for drainage to ground, water courses or a suitable sewer..

#### Water Comments

The existing water supply infrastructure has insufficient capacity to meet the additional demands for the proposed development. Thames Water therefore recommend a condition be imposed requiring studies to be undertaken.

### 3.5.4 **Natural England**

No objection – with conditions

This application is near to, and possibly hydrologically linked to Wendlebury Meads and Mansmoor Closes Site of Special Scientific Interest (SSSI), and Otmoor SSSI. Having reviewed the Flood Risk chapter of the Environmental Statement (ES) and the Flood Risk Assessment (FRA), we have the following comments to make:

The ES chapter gives more detail of possible impacts on Wendlebury Meads and Mansmoor Closes SSSI, but does not mention impacts on Otmoor SSSI in detail. It talks about water quality affecting the SSSI's, and concludes no impacts on water quality to the SSSI's. Natural England accepts this conclusion. However, changes in flows resulting in water quantity to the SSSIs changing is not discussed in the ES chapter.

Given the nature and scale of this proposal, Natural England is satisfied that there is not likely to be an adverse effect on these sites as a result of the proposal being carried out in strict accordance with the details of the application as submitted. We therefore advise your authority that these SSSIs do not represent a constraint in determining this application. Should the details of this application change, Natural England draws your attention to Section 28(l) of the *Wildlife and Countryside Act 1981* (as amended), requiring your authority to re-consult Natural England.

Natural England commends the progress made with the Biodiversity Strategy, and the fact that many suggestions made by the conservation consultees have been taken on in the design of the ecological mitigation and enhancements.

The costs of securing the farmland bird off-site work does not seem to include the cost of a project officer to help make the connections with local landowners. This would be helpful in the set-up of such a scheme. We would suggest that, although full details of the mechanisms are not laid out in the documents, there may be a better way to go about securing the farmland bird enhancements in perpetuity.



It is stated in the Biodiversity Strategy that there is not an intention to manage the nature reserve with grazing, but that this will be kept under review. Grazing is a method of management which can be very cost-effective for managing some of the habitats proposed, and also helps to create a higher quality habitat in some cases, than would be achieved with other methods of management.

Reference is made to nest boxes in the built structures. RSPB and others advise that nesting sites within built structures are highly desirable as they are longer lasting. We advise these are considered for inclusion. For an eco-town, specifying a rate of 1 per dwelling seems eminently reasonable, and a cost-effective way of delivering gain.

We would recommend that thought is given to long term monitoring of the success of the various bits of habitat creation and enhancement for biodiversity, and that a plan should be put in place for how this is to be funded and carried out. Long term management also needs to be planned for and secured across the site.

The authority should consider securing measures to enhance the biodiversity of the site from the applicant, if it is minded to grant permission for this application. This is in accordance with Paragraph 118 of the NPPF. Additionally, we would draw your attention to Section 40 of the Natural Environment and Rural Communities Act (2006) which states that *'Every public authority must, in exercising its functions, have regard, so far as is consistent with the proper exercise of those functions, to the purpose of conserving biodiversity'*. Section 40(3) of the same Act also states that *'conserving biodiversity includes, in relation to a living organism or type of habitat, restoring or enhancing a population or habitat'*.

We would expect the Local Planning Authority (LPA) to assess and consider the other possible impacts resulting from this proposal on the following when determining this application:

- local sites (biodiversity and geodiversity);
- local landscape character; and
- local or national biodiversity priority habitats and species.

### 3.5.5 **BBOWT**

welcome the submission of the proposal and the recognition that off-site mitigation for farmland birds will be needed.

Areas of concern are:

1. After the end of the 25 years of payments the proposed options will in almost all cases provide no further value. However the impact on farmland birds arising from the development will continue after 25 years.
2. At present it is not known what payments will be available for equivalent options through the forthcoming NELMS scheme, and how and where these will be targeted. In order to be compensation then the measures must be additional.
3. In a similar off-site compensation scheme we are aware of then an additional sum of a little over 15% was provided over and above the payments to farmers to provide for the costs of an officer to seek out farmers to take up the options, and to advise and support them in carrying out the work. Without the pro-active seeking out of farmers we are not convinced that sufficient numbers will come forward to take up the options.
4. Other methods should be seriously considered apart from directing the money via an intermediary body which will presumably need to charge administrative costs in order to cover the time involved in distributing money. In such a scenario then potentially a significant amount of money that would have been allocated to establishing compensation would not be. In the aforementioned similar scheme we are aware of the money is held by the District Council.
5. In previous documentation then a location has been suggested for where farmland bird compensation could take place, namely the Ray Valley. No location is now given.

In our opinion the best option would be for funds to be allocated for land purchase in an agreed area and subsequent management for nature conservation by an appropriate body such as a local authority or wildlife conservation organisation. The funds would also provide

for management for the initial 25 years and then thereafter the organisation would be expected to commit to on-going management as appropriate at its own cost.

#### Woodlands

Broadleaved semi-natural woodland and mature broadleaved plantation. We welcome the proposals for a Landscape and Habitats Management Plan to ensure they maintain their value to breeding birds (see ES 6.5.1.18). The exclusion of lighting is to be welcomed. The plan should also include management to encourage a rich ground flora and ensure either successful natural tree regeneration or additional planting as appropriate to secure the long-term future of the woodlands.

natural regeneration is good;

#### **Ecological corridors / buffers**

Habitats for ecological corridors, dark corridors and hedgerow and river buffers in general: every effort should be taken to maximise the species richness of these corridors and buffers through the use of appropriate species rich seed mixes with a combination of wild flowers as well as grasses. In addition seed mixes next to rivers should reflect the proximity to the water and the opportunity to create a transition from the wetland to terrestrial habitats.

#### **Hedgerows**

Paragraph 6.5.1.10 of the ES – we welcome the statement: “The implementation of a Landscape and Habitats Management Plan would ensure that the hedgerows maintain their value to hairstreak butterflies.” The LHMP should include details of this management, showing how the differing needs of both black and brown hairstreak butterflies can be met. These rare butterflies are very important in the local area and the commitment to consider them in the management of the hedgerows is particularly welcome. Newly planted hedgerows should include a significant component of blackthorn, the food plant of both black and brown hairstreaks.

Notwithstanding any specific management for hairstreak butterflies, in general a rotational cutting regime on a three year cycle wherever possible (or a two year cycle where particular reasons justify it) will be of most value to biodiversity.

#### **Biodiversity Impact Assessment metric**

We welcome the detail provided in Chapter 6 of the Biodiversity Strategy and the use of a metric with respect to achieving a Net Gain in Biodiversity. We note, and welcome, in Table 2 that the aim is to create/retain a variety of priority habitats (Habitats of Principal Importance under Section 40 of the NERC Act) including:

Semi-natural broadleaved woodland; ponds with buffers; hedgerows with buffers; lowland meadow; reedbed; wet woodland.

#### **Green Infrastructure and Integrating Biodiversity into the Built Environment**

There is an opportunity for a demonstration of high quality implementation of Biodiversity in the Built Environment. The development should include green infrastructure to retain and create a mosaic of habitats and linear features to ensure that structural diversity and habitat connectivity throughout the site is provided. This should include significant amounts of open space, some of which should be earmarked specifically for biodiversity, and some for biodiversity combined with public access. The biodiversity value of recreational areas should also be maximised, for example by the provision of species-rich grassland with an appropriate infrequent mowing regime on the borders of sports pitches. A sensitive directional lighting scheme should be implemented to ensure that additional lighting does not impact on the retained green corridors across the site.

Biodiversity enhancements such as hedgerow and tree planting and management, creation of ponds, creation of hibernacula for reptiles and amphibians and creation of wildflower grasslands should be included in the development design where possible in line with planning policy (NPPF) and the NERC Act, which places a duty on local authorities to enhance biodiversity. Provision should be made for the long term management of these areas. Proposals should also include:

- Integrated bird nest boxes and bat boxes, in a large number of the selected residential

buildings, particularly those bordering open space, as well as public buildings.

- Street trees, and fruit trees in gardens
- Native wildflower meadows and other wildlife habitats within the street environment, ideally within gardens and also within the grounds of any public buildings.
- It is likely that the development will involve a large amount of roof space on public / commercial buildings. To help offset the loss of greenfield land that will result from development in this area then either green or brown roofs should be required for the vast majority of the roofs of public and commercial buildings, and preferably some residential buildings, although solar panels may be an appropriate alternative for some roofs.

Green Infrastructure should be designed to provide a network of interconnected habitats, enabling dispersal of species across the wider environment. Open spaces within developments should be linked to biodiversity in the wider countryside, including any designated sites, priority habitats and CTAs. Green Infrastructure should also be designed to provide ecosystem services such as flood protection, microclimate control and filtration of air pollutants.

#### Biodiversity benefits from SUDS

As well as providing flood control SUDS can provide significant biodiversity value if biodiversity is taken into account in the design, construction and management of SUDS features. This should be required of any development and details will be needed at the Reserved Matters stage. Examples include:

- Green and brown roofs;
- Detention basins and swales that can be planted with wildflower rich grassland;
- Reinforced permeable surface for car parks and drives that can also provide wildflower habitat.

#### Management and monitoring

Appropriate management and monitoring of the site is vital to achieving a net gain in biodiversity. Each reserved matters application must be accompanied by an LHMP (Landscape & Habitat Management Plan) as indicated in Section 9 of the Biodiversity Strategy. This should include both management and monitoring proposals. The management may need to be modified according to the results of the monitoring work.

The public green space and dedicated biodiversity areas within the site would need to be managed for biodiversity in perpetuity to avoid the loss of potential benefits from the mitigation and enhancement measures. Ecological monitoring is important to ensure that the management is successful in meeting its objectives for biodiversity and to enable remedial action to be identified, if necessary.

#### Conditions

Following the resolution of the above areas, if the Council is minded to approve this application, conditions should be used to ensure that the ecological aspects of the development proceed in line with the proposals for retention of habitat and for mitigation, compensation and enhancements as outlined in the documents as follows:

Chapter 6 Ecology of the Environmental Statement August 2014 Volume 1 Main Text;

Chapters 1 – 10 of Appendix 6J Biodiversity Strategy August 2014

Chapters 1 – 8 of the Green Infrastructure and Landscape Strategy August 2014

- 3.5.7 **Environment Agency** are pleased to see that the advice we have given over this pre-application period has been fully considered and reflected in this planning application submission. In general we support the application as proposed and raise no objections. However, there are numerous matters which will be subject to detailed design and phasing of the development.

To ensure that the high sustainability standards proposed in this Outline planning application are delivered, appropriate planning controls will need to be incorporated into any planning permission granted.

Without adequate planning conditions and planning obligations the development will not

meet the requirements of PPS1 or the NPPF. As such we would object to this planning application. It is therefore essential that we are reconsulted on the draft conditions and draft planning obligations prior to the full determination of this planning application.

The surface water drainage strategy and the use of SUDS is not only critical to ensure flood risk is not increased on or off-site. In addition, SUDS are needed to protect water quality and associated biodiversity. This is particularly important to protect the features of special interest for which Wendlebury Meads and Mansmoor Closes SSSI and Otmoor SSSI are notified. The SUDS on site are also needed to contribute to the sites green infrastructure, delivery of a net biodiversity gain and to meet Water Framework Directive (WFD) requirements.

#### Development in flood risk areas

We welcome the commitment in the Application 1 FRA and SWDS to locate all development outside of Flood Zone 2 and 3. This will help meet the requirements set out in Policy ET18 of PPS1. Fluvial hydraulic modelling has been completed to identify flood risk areas within the site. This has been done by adapting the previously approved Exemplar hydraulic model. Due to the limited work completed to make the Exemplar hydraulic model fit to use for the Masterplan site, we do not consider that a detailed review of the revised modelling is needed.

#### Watercourse crossings

We are pleased with the commitment within para 5.1 and section 7 of the Application 1 FRA and SWDS that watercourse crossings will be designed to ensure flood risk is not increased. However, the design commitment may not be realistically deliverable across the site and we therefore recommend a level of flexibility for the design of watercourse crossings. In order to secure this, we recommend inclusion a condition on any planning permission granted.

The Application 1 WCS and Masterplan WCS appraise a number of water resource and waste water disposal options and conclude that there are feasible options available. The Application 1 WCS and Masterplan WCS therefore set out a number of options/strategies at the Outline planning application stage for water supply and disposal, but do not commit to which option or strategy will be taken forward. We recommend that the detailed strategies for water supply and disposal are agreed before development begins. This is to ensure that the water infrastructure that the development relies upon is available in line with the proposed phasing of the development. The timely provision of new water infrastructure, or upgrades to existing water infrastructure is of vital importance in order to protect water quality and the environment and meet the requirements of PPS1 Policy ET17 and the NPPF.

#### Water neutrality

Policy ET 17.5 of the PPS1 states that Eco-towns in areas of serious water stress such as Bicester should aspire to water neutrality (achieving development without increasing overall water use across a wider area). Although the 80l/p/d potable water per capita consumption design standard if delivered in homes and non-residential development is considered a high water efficiency standard, it does not constitute water neutrality. We are pleased to see at para 6.2 of the Application 1 WCS that the site will aspire to achieve water neutrality with suggested strategies to do so. In particular, we consider that there is a real opportunity for partnership working within Bicester to reduce water consumption across the whole town to meet water neutrality at North West Bicester. The reuse of water from an on-site waste water treatment works if used as part of the waste water disposal strategy for the site could also offer another opportunity to meet water neutrality. If water neutrality is achieved this would be the first development in the Country to meet such high standards in water demand management on such a large scale, putting North West Bicester at the forefront of high sustainability standards.

Should waste water be sent to the existing Bicester Waste Water Treatment Works, the Application 1 FRA and SWDS at para 4.2.5 identifies a limited capacity within the existing

sewer network and a history of known sewer flooding in Bicester. Para 5.4 and section 7 of the Application 1 FRA and SWDS identifies that new infrastructure will be required within the site to prevent potential exacerbation of any existing sewer flooding problems. We also note the Thames Water Ltd consultation. They state that the existing waste water infrastructure cannot accommodate the needs of the application without upgrades which could lead to sewage flooding. Although the Application 1 WCS and Masterplan WCS conclude that the needed upgrades can be feasibly delivered, this supports the importance that the development must be phased in line with the required infrastructure upgrades on and off site. This is to ensure that waste water from the development can be conveyed and treated without increasing the risk of flooding, impacting on water quality and the associated biodiversity and resulting in a deterioration under the WFD.

We note that the Application 1 site includes a land parcel specifically designated for accommodating the on-site waste water treatment infrastructure should this water disposal option be taken forward. Section 2 of the Application 1 WCS also comments that reedbeds/wetland habitats could be used as a final water quality polishing stage. Should this onsite waste water treatment option be taken forward, it should be clearly demonstrated how this will contribute to the green infrastructure and the biodiversity strategy for the site.

In summary, before development begins, it is critical that a waste water disposal strategy is provided which demonstrates that there is the adequate conveyance and treatment infrastructure on or offsite to treat waste water from the development in line with phasing of the development. It must be demonstrated that water quality and the WFD status will not be deteriorated.

#### **Green Infrastructure and Net Biodiversity Gain**

ET14 and ET16 set out the PPS1 Green Infrastructure and Biodiversity requirements for the site.

Again, we are pleased that the Outline planning application as submitted reflects the broad principles discussed during the pre-application period. This includes the measures that have been discussed with respect to the environmental impacts of the development, the mitigation requirements for these impacts, the design principles required to offset biodiversity impacts, and the measures needed to secure a network of green infrastructure characteristics which should provide for an attractive and biodiverse environment, as required by ET14 and ET16 of PPS1.

#### **Energy Strategy**

We are pleased that the Energy Strategy (Outline Application NW Bicester Planning Application 1 Energy Statement Report No 5023-UA005241-UE21R-02 Date August 2014) at section 2 (Preferred Strategic Approach) has considered the inclusion of a District Heating Network which will enable future proofing relative to new technology (which can be plugged into the energy centres) such as the potential connection to the waste heat from the Ardley Energy from Waste (EfW) facility. Utilising waste heat from the Ardley EfW facility would see huge carbon savings, has the potential to lower energy prices for residents and will see the reduction of fossil fuel use, putting the North West Bicester development at the forefront of sustainability in the UK and we fully support this approach.

In response to amended plans;

We note the Addendum 'Description of Development and Application Parameters – Barton Willmore LLP, ref 21278/A3/IP/AC dated 8 December 2014'. This sets out clearly the submitted drawings and documents and their status as to whether they are 'for approval' or 'in support' of the planning application. In our response of the 6 October 2014 we highlight the importance of certain documents being 'approved' should planning permission be granted. If these documents are not to be 'approved' as part of the planning permission, we highlight the importance of including these documents and referencing them in any condition wording included on the planning permission.

3.5.8 **Sport England** raise no objection subject to the imposition of conditions and make the

following comments;

The application makes no reference to an up to date Sports Facility Strategy, Playing Pitch Strategy or other relevant needs assessment to justify the amount of land that is proposed to be provided for outdoor sport.

Sport England has consulted the National Governing Bodies (NGBs) for the main pitch sports (football, cricket, rugby and hockey) as well as for tennis. The following comments have been received from the Football Association and from England Hockey.

**Football Association**

The Football Association has advised that there is a lack of playing and training facilities for football clubs in Bicester. There is an identified need for additional grass pitches and ideally the provision of a floodlit 3G artificial grass pitch. From the information provided in the application it is unclear how the proposal would deliver the provision of facilities to meet the needs of football in Bicester. There is a strong desire to see senior level football return to the town. The Bicester Sports Association site at Oxford Road is the only facility capable of accommodating this, but the site is in decline and their other site, at Chesterton, does not have planning permission for floodlights or sufficient parking. Consideration needs to be given to where such a site could be developed and how it could be delivered, in order to secure the long term sustainable future for the game in the town.

**England Hockey**

England Hockey has advised that Bicester Hockey Club has almost reached full capacity at its current single pitch facility. The club is growing at around 17% per annum and, with the number of new housing developments in the area, access to additional facilities is needed. It has been suggested that a new sand dressed artificial grass pitch with pavilion would be provided as part of the Graven Hill development, but this has not been confirmed. The development of a new 3G artificial grass pitch in the locality would have the potential to create additional capacity for hockey on the existing pitch at Cooper School, by removing some of the existing football activity, but for greater club growth a new facility is required.

While other NGBs did not respond to the consultation, it should not be assumed that there is no requirement to make provision for cricket, rugby or tennis.

Sport England would encourage the local planning authority to undertake a robust and up-to-date assessment of needs in accordance with paragraph 73 of the NPPF. It will then be possible (most likely at the reserved matters stage) to determine the correct amount of playing field land to be provided and number and size of pitches to be provided for each sport.

Sport England considers it necessary for the Council to secure contributions to both sports pitches and built facilities to meet the increased demand generated by the additional population.

The proposed development appears to be consistent with the draft North West Bicester Supplementary Planning Document. Therefore, it is considered that the proposal has the potential to meet Objective 3 of Sport England's Land Use Planning Policy Statement, 'Planning for Sport Aims and Objectives'. That is to say:

"To ensure that new sports facilities are planned for and provided in a positive and integrated way and that opportunities for new facilities are identified to meet current and future demands for sporting participation."

### 3.5.9 **NHS England**

Regarding the health needs for the North West Bicester site,

#### Summary

1. The Bicester area will undergo substantial housing growth in the coming years. There are 7 key strategic housing development sites which jointly will deliver 9,764 new homes for the period 2014 – 2031 and on the basis of the adopted occupancy rates for the respective developments this will equate to a population increase of approximately 22,786. The 4 main development sites within Bicester (to be developed in phases) are; South West Bicester (known as Kingsmere); NW Bicester EcoTown; Graven Hill; South East Bicester

2. An assessment of capacity within the local primary care infrastructure was carried out and it was concluded that an additional 10,000 new patients could be absorbed using the current facilities. The latter may require some modifications / adjustments to the existing premises, but it was felt that this could be achieved.
3. Any further patients above the 10,000 threshold would necessitate the provision of a new GP facility. Specifically, the North West Bicester site will generate 13,457 population (5607 dws x 2.4 h/hold size) which justifies a new surgery to be provided on the site.
4. On the basis of the housing growth trajectory, it is anticipated that the new facility would not be required until 2020. Clearly, if the growth were to accelerate then the facility would be required a little earlier and if it slows down then the date for this requirement would be pushed back further.
5. The following S106 provisions are sought in order to safeguard the future expanded primary care services:
  - a. Secure land to enable building of a new GP surgery (to accommodate 7 GP's), on the NW Bicester Eco Town site
  - b. Secure the capital costs of this expansion from the developers (for the sum of £1,359,136)

It is NHS England's firm position that where a new health facility is required as a direct result of major housing growth, that a site to provide a new facility should be provided at either no cost or at the commercial rate for healthcare premises and that a financial contribution towards the funding of the new facility should be made in addition.

Various assessments of the capacity of local health facilities have recently been undertaken, and the need for new premises in this location is a direct requirement of the new population resulting from the NW Bicester development as set out above. The financial contribution that has been requested is directly related to needs of the population that will occupy the new development.

The impact of non-recurrent and recurrent infrastructure costs to NHS England is very significant and is a key concern in the delivery of new healthcare facilities. NHS England should not be burdened with the full cost of both delivering the new facility and/or the recurrent cost of providing the facility, where the requirement for the new facility is a direct result of identified housing growth.

It is acknowledged that the provision of a site within a development to allow the delivery of a new health facility is a suitable approach. This allows a reduction in the capital cost associated with providing the new facility in another location, and would also locate the new facility directly where the new population will be located.

It is important to note however, that NHS England does not have the capital available to fund infrastructure projects arising as a direct consequence of housing growth. Without a financial contribution towards healthcare infrastructure in addition to the provision of a site, there would be a significant financial burden placed on the delivery of the premises, which could delay or prevent the delivery of the service to the new population.

The financial contribution would be used for the sole purpose of providing healthcare facilities and the investment would be protected to ensure that the S106 monies are not used for the benefit of the property owner. In the event that a practice wished to finance the development of these new premises, any S106 monies that contribute to the building of this facility will result in a reduction in the Notional Rent reimbursement received by the

practice. This reduction would be proportionate to the level of S106 funding, for up to a 15 year period (minimum). In other words a practice would not benefit from having a rental income for space that has been funded by S106 monies. The latter is all set out in the provisions made by the National Health Service (General Medical Services – Premises Costs) Directions 2013.

The reason for requesting S106 monies as well as the provision of the site is to lessen the financial impact placed on the NHS as a result of infrastructure required due to housing growth and to ensure that the facilities needed to provide good quality healthcare can be put in place for the benefit of the residents of these developments. This facility has been necessitated as a direct consequence of the housing growth and the failure to provide this contribution would undermine the overall sustainability of the proposed house development.

### 3.5.10 **Thames Valley Police** **POLICING IN BICESTER**

TVP operate a police model based upon the creation of Local Police Areas (LPA). Within each LPA policing is made up of two teams, namely “Neighbourhood Policing and “Patrol Policing”

The LPA is then divided into a number of neighbourhoods based upon the geography of the area. In Bicester there are two neighbourhoods, Bicester Town and Bicester Rural. As the names suggest Bicester Town deals with the built up area of Bicester including the town centre and surrounding residential estates. Bicester Rural deals with the surrounding rural hinterland around the town and covers many of the villages in the surrounding area.

Currently Bicester Town and Bicester Rural have the following combined officer/staff deployment; 52 Uniformed Officers 7 PCSO's 2 CID 3.3 Staff

At present the Cherwell Local Police Area (within which Bicester lies) has a population of approximately 141,900 and 56,700 households. based on 2011 Census information

This population generates an annual total of 32,871 incidents that require a Police action.

These are not necessarily all “crimes” but are calls to our 999 handling centre which in turn all require a Police response/action. Effectively therefore placing a demand on resources.

The proposed development of 5607 units would have a population of 113457 (at 2.4 per unit). Applying the current ratio of “incidents” to population then the development would generate an additional 3130 incidents per year for TVP to deal with.

In order to mitigate against the impact of growth TVP have calculated that the “cost” of policing new growth in the area equates £880,158 to fund the future purchase of infrastructure to serve the development.

The contribution represents a pooled contribution towards the provision of new infrastructure to specifically serve the site. The pooling of contributions towards infrastructure remains appropriate under the terms of the CIL Regs, up until the relevant Local Authority has adopted CIL, whereby pooling will be limited to 5 S106 Agreements (subject to other regulatory tests).

The contribution will mitigate against the additional impacts of this development because our existing infrastructures do not have the capacity to meet these and because like some other services we do not have the funding ability to respond to growth.

The contribution requested will fund, in part, the following items of essential infrastructure, staff set up, premises, vehicles, mobile IT , radio coverage, APNR cameras, control room capacity.

### 3.5.11 **Bio Regional**

Bioregional have been fully committed to the Eco Town process throughout its development and will continue to work with all partners to help it deliver its full potential.

In summary, we support this application and, subject to appropriate reserved matters and S106 conditions discussed below, we hope to see this scheme go forward.

## **1. Overall eco-credentials and general comments**

Application 1 is consistent with the Exemplar first phase of NW Bicester in that it offers outstanding standards of environmental performance in the following areas:



- Built to true zero carbon standard, above the current government definition of zero carbon
- Built to Code for Sustainable Homes standard 5
- Building true zero carbon and code 5 *at scale*, Application 1 is the largest development in the UK built to these high standards
- Good levels of energy efficiency in the fabric of the buildings and in their design
- Maximising photovoltaic solar panel arrays on every suitable roof, generating some 75% of the site's electricity needs
- A District Heat network is planned throughout the development
- Commitment to very high design standards for water efficiency
- Potential for good walking and cycling infrastructure, subject to detailed design
- Potential for net biodiversity gain
- A commitment that all non-residential buildings will be BREEAM Excellent standard

As a semi-rural extension to an existing town, NW Bicester is designed to be medium density. Compared with higher density urban developments, it provides greater potential for local food growing, high-quality wildlife habitats and accessible, large scale open spaces for play and leisure. In addition, the lower density allows for greater integration of roof-based technologies in meaningful quantities, such as photovoltaic panels and rainwater harvesting. The semi-rural location does, however, mean that sustainable transport is more challenging and biodiversity targets are higher due to a higher ecology baseline and larger development footprint. Bioregional feel this application sets an excellent example of how to achieve sustainable living in a rapidly growing Garden Town and it promises to deliver most of the original Eco Town aspirations.

## **2. Zero Carbon**

The submitted application energy strategy, in combination with the subsequent energy strategy addendum, delivers E co Town PPS definition of zero carbon.

The strategy meets the required definition by reducing demand through energy efficiency measures. It then meets the remaining demand through on site renewable and low carbon technologies. All electricity demand is met through the combination of the extensive provision of photovoltaic panels on residential and non-residential roof space and electricity generated from a Biomass CHP plant. All space heating and hot water demands are met through a district heating system supplied from a combination of gas CHP and biomass CHP plants.

The true zero carbon energy strategy sets itself apart from other "carbon neutral" housing schemes within the UK because it deals with all of the developments carbon emissions. This includes both regulated and unregulated emissions. It deals with all of these emissions through on-site solutions.

### **Biomass CHP**

Bioregional support the submitted energy strategy and its proposals for meeting true zero carbon. Biomass CHP is just one part of the mix in the energy strategy but we want to highlight the need for biomass CHP providers to demonstrate that their plant can operate reliably and at scale in a residential context (as opposed to operating in a research and development context). With this in mind, it is important that the energy strategy is reviewed as phases come forward for detailed planning approval, and alternative options for meeting true zero carbon left open. These should include:

- The potential to deliver further demand savings, perhaps using LED lighting, or as

other more efficient electrical products and systems became mainstream

- The potential to increase the PV provision if necessary

### **Phasing**

The NW Bicester Exemplar has demonstrated it can meet true zero carbon after delivery of 200 homes, whereas this application proposes meeting it after 500 homes. This is a lower standard than the Exemplar and could mean that NW Bicester operates with significant carbon emissions for some years and some uncertainty before meeting its zero carbon standard. We suggest that the phasing and sizing of plant could be adjusted to deliver true zero carbon in line with similar timings of housing levels as the Exemplar.

### **3. Biodiversity**

We are pleased to see the incorporation of a Biodiversity Strategy (compliance with ET 16 Biodiversity). We agree in principle with the downgrading of the Arable Land to Low Distinctiveness and Poor condition within the Defra Metric. This change means that Net Gain can be achieved without habitat compensation. However, as indicated in the application, species compensation is still required for farmland bird species.

#### **Offset scheme**

At this stage there are no details of the offset/compensation scheme for farmland birds. The integrity of the net biodiversity gain target is dependent on delivering an effective offset scheme, so we have listed some issues that will require care when setting up the scheme:

- Management of the fund/scheme and ensuring any management company has the correct experience and resources to manage a scheme of this scale
- Proximity of the enhanced land uses to NW Bicester
- Levels of payments compared to other comparable schemes
- Safeguarding the enhanced land after the life-time of the scheme (25 years) to ensure long-term biodiversity gains

### **4. Transport**

#### **Walkability**

Bioregional carried out a modal transport assessment for NW Bicester which is referred to in the application. However, we would present the conclusions of this assessment differently. A significant number of homes (approx. 30%) will be beyond the 800m/10min walk to a local centre (*Eco Town PPS ET 11 Transport - homes should be within ten minutes' walk of (a) frequent public transport and (b) neighbourhood services*).

There is a suggestion of two small neighbourhood shops, remote from the local centres, set amidst the main housing areas, which would bring those remoter homes within 800m of the most basic local provisions, but question how likely those shops are to be delivered.

We therefore have concerns over the walkability of the outlying neighbourhoods in this application.

#### **Modal shift targets**

The modal shift ambitions within the transport assessment do not currently meet the PPS requirements. The PPS looks for a 50% modal shift, potential to rise to 60% over time, and significantly more ambitious targets as NW Bicester is close to a higher order settlement (ET11.3(b)).

We would welcome further work on how a modal shift of 60% could be achieved at NW

Bicester; this could be through the identification of scenarios and precedents studies.

### **Off site connectivity**

The transport assessment lists the external connections between application 1 and the existing town. It breaks these down into primary and secondary connections. Although there is an acknowledgement that these connections will be delivered/upgraded through S106 agreements, we would welcome more detail on the timescale for the enhancements and which ones will be taken forward.

### **Support for Transport Approach**

Despite the above queries, Bioregional support this scheme for a number of reasons:

- It is recognised that the town of Bicester currently has high car use (69%) given its location close to the strategic motorway network and therefore achieving 50% already represents a substantial shift in travel towards non-car modes.
- Extensive work is already underway on the promotion of Electric Vehicles within the Exemplar Phase. We understand that this will continue onto this adjacent application. Initiatives include:
  - Proposed incorporation of superfast car chargers across Bicester with the first installation to be next to the energy centre on the Exemplar phase
  - Electric Car leasing services where residents can try a number of electric vehicles before they buy
- We understand that the off-site cycle improvements are listed within the S106 contribution and we are glad to see A2Dominion already looking into these.
- We are pleased to hear that the Exemplar bus service is under development and is considering the use of Electric Buses. This service will be extended to serve communities within this Application 1.

## **5. Employment**

We welcome the inclusion of green businesses and promoting sustainability in Appendix 1 of the economic strategy. This is very positive and offers great opportunities to bring a unique set of skills, identity and business opportunities to Bicester.

We are unsure of the ownership and who will deliver the action plan in the economic strategy.

We understand that work has begun to promote NW Bicester to potential businesses and retail developers. A site wide approach is rightly being taken, rather than a piecemeal approach.

We recommend a periodic review of the action plan submitted as a check that the aspirations are being pursued and delivered.

## **6. Detailed Design and Design Code**

Many of the aspirations for Application 1 will not become fully demonstrated until detailed designs and design codes are produced. Reserved matters will need to ensure delivery of the following:

- Character and identity of the development, landmark buildings
- High quality allotments and play areas
- Exemplary range of cycle and pedestrian routes
- Detailed lighting strategy that provides amenity for walkers and cyclists and also respects strategic dark corridors

## **7. Summary**

Bioregional support this application and give great credit to the high environmental

standards. We recommend that the following matters be addressed through reserved matters or S106:

1. Allowing for additional measures for further electrical demand reductions and potentially increased PV provision in case of deliverability issues in the energy strategy
2. A phasing plan that delivers zero carbon after a smaller number of homes around each energy centre, similar to the Exemplar precedent
3. A robustly planned offset scheme for farmland bird habitat
4. Options for more ambitious modal shift targets
5. Commitments around delivery of offsite walking and cycling connections
6. Ownership assigned to actions in the economic strategy to deliver green business services and to encourage incoming green minded businesses

<b>4.</b>	<b>Relevant National and Local Policy and Guidance</b>
<b>4.1</b>	<b>Adopted Cherwell Local Plan</b>
4.1. 1	<p>Development Plan Policy is contained in the Adopted Cherwell Local Plan (Saved Policies). The following policies are relevant to consideration of the application;</p> <p>Policy EMP 4 employment generating development  Policy H5 Affordable Housing  Policy H18 New development in the countryside  Policy S28 Proposals for small shops and extensions to existing shops outside Banbury, Bicester and Kidlington shopping centres  Policy TR1 Transportation funding  Policy TR10 Heavy Goods Vehicles – No relevant for this application but may be relevant for 14/01675/OUT on employment B8  Policy R12 Provision of public open space in association with new residential development  Policy C1 Protection of sites of nature conservation value  Policy C4 Creation of new habitats  Policy C7 Landscape conservation  Policy C8 Sporadic development in the countryside  Policy C9 Scale of development compatible with a rural location  Policy C28 Layout, design and external appearance of new development  Policy C30 Design of new residential development</p>
	<b>Other Material Policy and Guidance</b>
<b>4.2</b>	<b>Non Statutory Cherwell Local Plan</b>
4.2. 1	<p>The Non Stat Cherwell Local Plan proceeded to through the formal stages towards adoption, reaching pre inquiry changes. However due to changes in the planning system the plan was not formally adopted but was approved for development control purposes. The plan contains the following relevant policies;</p> <p>H19 New Dwellings in the Countryside  H3 Density  H4 Types of Housing  H5 Housing for people with disabilities and older people  H7 affordable housing  TR3 A Transport Assessment and Travel Plan must accompany development proposals likely to generate significant levels of traffic  TR4 Mitigation Measures  R4 Rights of Way and Access to the Countryside  EN16 Development of Greenfield, including Best and Most Versatile Agricultural Land  EN22 Nature Conservation  EN28 Ecological Value, Biodiversity and Rural Character  EN30 Sporadic Development Countryside</p>

	EN32 Coalescence of Settlements D9 Energy Efficient Design
<b>4.3</b>	<b>National Planning Policy Framework</b>
4.3.1	<p>The National Planning Policy Framework (NPPF) was published in March 2012 and sets out the Government's planning policies for England. It contains 12 Core Principles which should underpin planning decisions. These principles are relevant to the consideration of applications and for this application particularly the following;</p> <ul style="list-style-type: none"> <li>• Plan led planning system</li> <li>• Enhancing and Improving the places where people live</li> <li>• Supporting sustainable economic development</li> <li>• Securing high quality design</li> <li>• Protecting the character of the area</li> <li>• Support for the transition to a low carbon future</li> <li>• Conserving and enhancing the natural environment</li> <li>• Promoting mixed use developments</li> <li>• Managing patterns of growth to make use of sustainable travel</li> <li>• Take account of local strategies in improve health, social and cultural well being</li> </ul>
<b>4.4</b>	<b>Eco Towns Supplement to PPS 1</b>
4.4.1	<p>The Eco Towns supplement was published in 2009. The PPS identified NW Bicester as one of 4 locations nationally for an eco-town. The PPS sets 15 standards that eco town development should achieve to create exemplar sustainable development. Other than the policies relating to Bicester the Supplement has been revoked.</p>
<b>4.5</b>	<b>Cherwell Submission Local Plan (CSLP)</b>
4.5.1	<p>Submission Local Plan (October 2014) has been through public consultation and was submitted to the Secretary of State for examination in January 2014, with the examination beginning in June 2014. The Examination was suspended by the Inspector to allow further work to be undertaken by the Council to propose modifications to the plan in light of the higher level of housing need identified through the Oxfordshire Strategic Housing Market Assessment (SHMA), which is an objective assessment of need. Proposed modifications (August 2014) to meet the Objectively Assessed Need were subject to public consultation, from 22nd August to 3rd October 2014. The examination reconvened and closed in December 2014 and the Inspector's report is anticipated in March 2015. Although this plan does not have Development Plan status, it can be considered as a material planning consideration.</p>
4.5.2	<p>The plan sets out the Council's strategy for the District to 2031. The policies listed below are considered to be material to this case and are not replicated by saved Development Plan Policies:</p> <p>Sustainable communities</p> <ul style="list-style-type: none"> <li>PSD1: Presumption in Favour of Sustainable Development</li> <li>SLE1: Employment Development</li> <li>SLE4: Improved Transport and Connections</li> <li>BSC1: District wide housing distribution</li> <li>BSC2: Effective and efficient use of land</li> <li>BSC3: Affordable housing</li> <li>BSC4: Housing mix</li> <li>BSC7: Meeting education needs</li> <li>BSC8: Securing health and well being</li> <li>BSC9: Public services and utilities</li> <li>BSC10: Open space, sport and recreation provision</li> <li>BSC11: Local standards of provision – outdoor recreation</li> <li>BSC12: Indoor sport, recreation and community facilities</li> </ul>

	<p>Sustainable development</p> <ul style="list-style-type: none"> <li>ESD1: Mitigating and adapting to climate change</li> <li>ESD2: Energy Hierarchy</li> <li>ESD3: Sustainable construction</li> <li>ESD4: Decentralised Energy Systems</li> <li>ESD5: Renewable Energy</li> <li>ESD6: Sustainable flood risk management</li> <li>ESD7: Sustainable drainage systems</li> <li>ESD8: Water resources</li> <li>ESD10: Biodiversity and the natural environment</li> <li>ESD13: Local landscape protection and enhancement</li> <li>ESD15: Green Boundaries to Growth/Urban Rural Fringe</li> <li>ESD16: Character of the built environment</li> <li>ESD18: Green Infrastructure</li> </ul> <p>Strategic Development</p> <ul style="list-style-type: none"> <li>Policy Bicester 1 North West Bicester Eco Town</li> <li>Policy Bicester 7 Open Space</li> <li>Policy Bicester 9 Burial Ground</li> </ul> <p>Infrastructure Delivery</p> <ul style="list-style-type: none"> <li>INF1: Infrastructure</li> </ul>
<b>4.6</b>	<b>NW Bicester Supplementary Planning Document (NW SPD)</b>
4.6.1	The NW Bicester SPD provides site specific guidance with regard to the development of the site, expanding on the Bicester 1 policy in the emerging Local Plan. The draft SPD has been published and been the subject of consultation. The draft SPD is based on the A2Dominion master plan submitted in May 2014 and seeks to embed the principle features of the master plan into the SPD to provide a framework to guide development.
<b>4.7</b>	<b>One Shared Vision</b>
4.7.1	<p>The One Shared Vision was approved by the Council, and others, in 2010. The document sets out the following vision for the town;</p> <p>To create a vibrant Bicester where people choose to live, to work and to spend their leisure time in sustainable ways, achieved by</p> <ul style="list-style-type: none"> <li>• Effecting a town wide transition to a low carbon community triggered by the new eco development at North West Bicester;</li> <li>• Attracting inward investment to provide environmentally friendly jobs and commerce, especially in green technologies, whilst recognising the very important role of existing employers in the town;</li> <li>• Improving transport, health, education and leisure choices while emphasising zero carbon and energy efficiency; and</li> <li>• Ensuring green infrastructure and historic landscapes, biodiversity, water, flood and waste issues are managed in an environmentally sustainable way</li> </ul>
<b>4.8</b>	<b>Draft Bicester Master Plan</b>
4.8.1	<p>The Bicester masterplan consultation draft was produced in 2012. It identifies the following long term strategic objectives that guide the development of the town, are:</p> <ul style="list-style-type: none"> <li>• To deliver sustainable growth for the area through new job opportunities and a growing population;</li> <li>• Establish a desirable employment location that supports local distinctiveness and economic growth;</li> <li>• Create a sustainable community with a comprehensive range of social, health, sports and community functions;</li> <li>• Achieve a vibrant and attractive town centre with a full range of retail,</li> </ul>

	<p>community and leisure facilities;</p> <ul style="list-style-type: none"> <li>• To become an exemplar 'eco-town', building upon Eco Bicester – One Shared Vision;</li> <li>• To conserve and enhance the town's natural environment for its intrinsic value; the services it provides, the well-being and enjoyment of people; and the economic prosperity that it brings;</li> <li>• A safe and caring community set within attractive landscaped spaces;</li> <li>• Establish business and community networks to promote the town and the eco development principles; and,</li> <li>• A continuing destination for international visitors to Bicester Village and other tourist destinations in the area.</li> </ul> <p>The aim is for the masterplan to be adopted as SPD, subject to further consultation being undertaken. The masterplan is at a relatively early stage and as such carries only limited weight.</p>
<b>5</b>	<b>Appraisal</b>
5.0. 1	<p>The key issues for consideration in this application are:</p> <ul style="list-style-type: none"> <li>• Relevant Planning History</li> <li>• Environmental Statement</li> <li>• Planning Policy and Principle of Development</li> <li>• Five Year Housing Land Supply</li> <li>• Emerging Local Plan and NW SPD</li> <li>• Eco Town PPS Standards</li> <li>• Zero Carbon</li> <li>• Climate Change Adaptation</li> <li>• Homes</li> <li>• Employment</li> <li>• Transport</li> <li>• Healthy Lifestyles</li> <li>• Local Services</li> <li>• Green Infrastructure</li> <li>• Landscape and Historic Environment</li> <li>• Biodiversity</li> <li>• Water</li> <li>• Flood Risk Management</li> <li>• Waste</li> <li>• Master Planning</li> <li>• Transition</li> <li>• Community and Governance</li> <li>• Design</li> <li>• Conditions and Planning Obligations</li> <li>• Other matters</li> <li>• Pre-application community consultation &amp; engagement</li> </ul>
5.1	<b>Relevant planning history and other planning applications</b>
5.1.1	Land at NW was identified as one of four locations nationally for an eco town in the Eco Town Supplement to PPS1.
5.1.2	Land to the East of the site was the subject of an application for full permission for residential development and outline permission for a local centre in 2010 ref 10/01780/HYBRID. This permission, referred to as the 'Exemplar' development was designed as the first phase of the Eco Town, and meets the Eco Town Standards. The scheme is currently being built out.

5.1.3	<p>Four further applications have been received for parts of the NW Bicester site;</p> <p>Application ref 14/01641/OUT  <i>Outline Application - To provide up to 900 residential dwellings (Class C3), commercial floor space (Class A1-A5, B1 and B2), leisure facilities (Class D2), social and community facilities (Class D1), land to accommodate one energy centre and land to accommodate one new primary school (up to 2 FE) (Class D1), secondary school up to 8 FE (Class D1). Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure, ancillary engineering and other operations</i></p> <p>Application ref 14/01675/OUT  <i>OUTLINE - Erection of up to 53,000 sqm of floor space to be for B8 and B2 with ancillary B1 (use classes) employment provision within two employment zones covering an area of 9.45ha; parking and service areas to serve the employment zones; a new access off the Middleton Stoney Road (B4030); temporary access of Howes Lane pending the delivery of the realigned Howes Lane; 4.5ha of residential land; internal roads, paths and cycleways; landscaping including strategic green infrastructure (G1); provision of sustainable urban systems (suds) incorporating landscaped areas with balancing ponds and swales. Associated utilities and infrastructure.</i></p> <p>Application ref 14/01968/F  <i>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.</i></p> <p>Application ref 14/021212/OUT  <i>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 and C1), 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)</i></p> <p>The plan attached at appendix A shows the area to which each of the applications relate.</p>
6	<b>Environmental Statement</b>
6.1	<p>The Application is accompanied by an Environmental Statement (ES). It covers landscape and visual, ecology, flood risk, hydrology, air quality, noise and vibration, cultural heritage, contaminated land, agriculture and land use, human health, socio economic and culture, community and waste, transport and cumulative effects. The ES identifies significant impacts of the development and mitigation to make the development acceptable. Addendum to the ES was submitted for air quality and energy.</p>
6.2	<p>The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 reg 3 requires that Local Authorities shall not grant planning permission or subsequent consent pursuant to an application to which this regulation applies unless they have first taken the environmental information into consideration, and they shall</p>



	state in their decision that they have done so.
6.3	The NPPG advises 'The local planning authority should take into account the information in the Environmental Statement, the responses to consultation and any other relevant information when determining a planning application'. The information in the ES and the consultation responses received have been taken into account in considering this application and preparing this report.
6.4	The ES identifies mitigation and this needs to be secured through conditions and/or legal agreements. The conditions and obligations proposed incorporate the mitigation identified in the ES.
<b>7</b>	<b>Planning Policy</b>
7.0.1	Section 38 of the Planning and Compulsory Purchase Act 2004 advises that;  'If regard is to be had to the Development Plan for the purposes of any determination under the Planning Acts the determination must be in accordance with the plan unless material considerations indicate otherwise'.
<b>7.1</b>	<b>Cherwell Local Plan (CLP)</b>
7.1.1	The Development Plan for the area is the adopted Cherwell Local Plan 1996. The plan allocated land for development, although these sites are now largely built out, and did not allocate the application site. The application proposal conflicts with the development plan. However the housing policies in the local plan are dated in the light of the more recent advice in the NPPF which states at para 49  <i>'Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites'.</i>  The position of the supply of deliverable housing sites is considered further below.
7.1.2	In addition to housing policies the adopted Local Plan contains other relevant policies including those for local shopping S28, highways TR1, recreation provision R12, nature conservation C1 & C4, landscape C7, C8, C14 & C15, design C28, C30 and C31, water quality ENV7. These policies are considered in more detail below.
<b>7.2</b>	<b>Non Statutory Cherwell Local Plan (NSCLP)</b>
7.2.1	The NSCLP was produced to replace the adopted Local Plan. It progressed through consultation and pre inquiry changes to the plan, but did not proceed to formal adoption due to changes to the planning system. In 2004 the plan was approved as interim planning policy for development control purposes. This plan does not carry the weight of adopted policy but never the less is a material consideration. As with the local plan the NSCLP allocated sites for housing but did not allocate the current application site. The application proposals therefore also conflict with this aspect of the NSCLP.
7.2.2	The NSCLP also contains other relevant policies including those for; housing H3, H4, H5, H6 & H7, home working EMP12, local shops S25, transport TR1, TR3, TR4, TR5, TR6, TR9, TR11, TR19 & TR26, recreation R3, R4, R6, R8, R9, R10A & R11, environment EN1, EN5, EN6, EN7, EN8, EN11, EN13, EN15, EN16, EN21, EN22, EN23, EN25, EN27, EN31, EN32, EN34, EN35, EN36, EN37 & EN47, urban design D1, D2, D3, D4, D5 & D9 community facilities OA1. These policies will be considered in more detail below.
<b>7.3</b>	<b>Cherwell Submission Local Plan (CSLP)</b>

7.3.1	The CSLP sets out the policy for the district to 2031. The plan is at an advanced stage having been through consultation and examination and, although it does not carry the weight of an adopted plan it is capable of being a material consideration (NPPF Annex 1 para 216).
7.3.2	The CSLP policy Bicester 1 identifies land at NW Bicester for development of a new zero carbon (as defined in the Eco Towns Supplement to PPS1) mixed use development including 6000 homes. The current application forms part of the strategic allocation in the local plan. As the plan is not adopted it is necessary to consider if it is premature to deal with the application in advance of the CSLP being adopted and this is considered further below.
7.3.3	Policy Bicester 1 is a comprehensive policy and the consideration of the proposal against the detail of the policy is considered further below. The CSLP also includes other relevant policies on sustainable development PS1, ESD1, ESD2, ESD3, ESD4, ESD5, employment SLE1, Transport SLE4, housing BSC1, BSC2, BSC3, BSC4, community infrastructure and recreation BSC7, BSC8, BSC9, BSC10, BSC11, BSC12, INF1, water ESD6, ESD7, ESD8, landscape and environment ESD10, ESD13, ESD15, ESD18 and design ESD16. These policies are also considered further below.
<b>7.4</b>	<b>NW Bicester SPD</b>
7.4.1	The Eco Towns PPS and the CSLP both seek a master plan for the site. A master plan has been produced for NW Bicester by A2Dominion and this has formed the basis of a supplementary planning document for the site. The draft SPD has been the subject of consultation and consultation responses have been considered. It is anticipated that the SPD will be reported the Executive for approval in 2015 but it cannot be formally adopted until the Local plan has been adopted. The SPD amplifies the local plan policy and provides guidance on the interpretation of the Eco Towns PPS standards for the NW Bicester site. The SPD has not yet been approved and as such carries only limited weight.
<b>7.5</b>	<b>Eco Towns supplement to PPS1</b>
7.5.1	The Eco Towns PPS was published in 2009 following the governments call for sites for eco towns. The initial submissions were subject to assessment and reduced to four locations nationally. The PPS identifies land at NW Bicester for an eco town and is a material consideration in the determination of the application. The PPS identifies 15 standards that eco towns are to meet including zero carbon development, homes, employment, healthy lifestyles, green infrastructure and net biodiversity gain. These standards, and how the application addresses them are considered further below.
<b>7.6</b>	<b>NPPF</b>
7.6.1	The NPPF is a material consideration in the determination of the planning application and it states in paragraph 14 that ' <i>At the heart of the NPPF is a presumption in favour of sustainable development which should be seen as a golden thread running through both plan-making and decision-taking</i> '. For decision taking this means <sup>1</sup> approving development proposals that accord with the development plan without delay or where the development plan is absent silent or relevant policies are out of date, granting planning permission unless any adverse impact of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the NPPF

<sup>1</sup> Unless material considerations indicate otherwise.

	taken as a whole or specific policies in the NPPF indicate development should be restricted <sup>2</sup> .
7.6.2	With specific regard to housing proposals the NPPF, in paragraph 49, further advises that <i>'Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up-to-date if the local planning authority cannot demonstrate a five-year supply of deliverable housing sites.'</i>
7.7	<b>Five Year Housing Land Supply</b>
7.7.1	The Planning Inspector appointed to examine the Local Plan made clear his view that the SHMA document provided an objective assessment of housing need in accordance with the NPPF. The 1,140 per annum SHMA figure has formed the basis of the housing need on which the CSLP is based. The latest Housing Land Supply Update (June 2014) was approved by the Lead Member for Planning. It shows that the District has a 3.4 year housing land supply which includes an additional 20% requirement as required by the NPPF where there has been persistent under-delivery. It also seeks to ensure that any shortfall in delivery is made-up within the five year period.
7.7.2	Given that the adopted housing land supply policies are out of date and the limited weight that can be afforded to the emerging housing policies contained within the CSLP and that the Council cannot demonstrate 5 year HLS paragraphs 14 and 49 of the Framework carry weight. Paragraph 49 advises that housing applications should be considered in the context of the presumption in favour of sustainable development. Paragraph 14 advises that the presumption in favour of sustainable development is at the heart of the NPPF and where the development is out of date granting permission unless; <ul style="list-style-type: none"> <li>• Any adverse effects of doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in the framework taken as a whole; or</li> <li>• Specific policies in this Framework indicate development should be restricted.</li> </ul> It is therefore necessary to consider the whether there adverse effects arising from the application which are sufficient to outweigh the benefits of granting permission. The detail of the application proposals are therefore considered below.
7.7.3	To achieve sustainable development, the NPPF sets out the economic, social and environmental roles of planning including contributing to building a strong, responsive and competitive economy; supporting strong, vibrant and healthy communities; and contributing to protecting and enhancing our natural, built and historic environment (para 7).
7.7.4	LPAs are expected to create sustainable, inclusive and mixed communities (para' 50). Paragraph 52 advises, "The supply of new homes can sometimes be best achieved through planning for larger scale development, such as new settlements or extensions to existing villages and towns that follow the principles of Garden Cities. Working with the support of their communities, local planning authorities should consider whether such opportunities provide the best way of achieving sustainable development".
7.8	<b>Prematurity</b>
7.8.1	Although the emerging CSLP does not carry the weight of adopted policy it is an up to date expression of the Council's approach to the delivery of necessary development up to 2031. Policy Bicester 1 is a strategic allocation and development of it would

<sup>2</sup> For example, those policies relating to sites protected under the Birds and Habitats Directives and/or designated as Sites of Specific Scientific Interest; land designated as Green Belt, Local Green Space, an Area of Outstanding Natural Beauty, Heritage Coast, or within a National Park; designated heritage assets and locations at risk of flooding or coastal erosion.

	<p>contribute to meeting the District's housing need. However as the plan is not adopted it is necessary to consider if it would be premature to consider development proposals on the site prior to the plan proceeding to adoption.</p>
7.8.2	<p>Annex 1 para 216 advises that from the day of publication, you may give weight to relevant policies in emerging plans according to;</p> <ul style="list-style-type: none"> <li>• The stage of preparation of the emerging plan (the more advanced the preparation, the greater the weight that may be given)</li> <li>• The extent to which there are unresolved objections to relevant policies (the less significant the unresolved objections, the greater the weight that may be given),</li> <li>• The degree of consistency of the relevant policies in the emerging local plan to the policies in the framework (the closer the policies in the emerging plan to the policies in the framework, the greater the weight that may be given).</li> </ul>
7.8.3	<p>Policy Bicester 1 was considered at the Local Plan examination but the Inspector's report is yet to be received. The allocation is consistent with the Eco Towns PPS which identifies North West Bicester as an eco town location and NPPF in that it seeks sustainable development and the NPPF acknowledges that large scale developments may be appropriate (para 52) to meet housing need where they follow garden city principles. The government has not defined 'garden city principles' but the most widely recognised are those published by the Town &amp; Country Planning Association (TCPA). Although the development at NW Bicester has been designed around eco town principles these are consistent with the TCPA garden city principles, although more ambitious in terms of embedding sustainability.</p>
7.0.4	<p>The Planning Practice Guidance published by the government advises that;</p> <p><i>'However in the context of the Framework and in particular the presumption in favour of sustainable development – arguments that an application is premature are unlikely to justify a refusal of planning permission other than where it is clear that the adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, taking the policies in the Framework and any other material considerations into account. Such circumstances are likely, but not exclusively, to be limited to situations where both:</i></p> <p><i>a) the development proposed is so substantial, or its cumulative effect would be so significant, that to grant permission would undermine the plan-making process by predetermining decisions about the scale, location or phasing of new development that are central to an emerging Local Plan or Neighbourhood Planning; and</i></p> <p><i>b) the emerging plan is at an advanced stage but is not yet formally part of the development plan for the area.'</i></p> <p>The emerging local plan has progressed to an increasingly advanced stage and, although the proposed allocation is large (6000 dwellings), it is not considered that the determination of the current planning application would undermine the plan making process due to the consistency with the emerging policy and the lack of competing comparable sites.</p>
7.0.5	<p>Whilst it is necessary to consider whether the proposals are premature in advance of the adoption of the local plan, this has to be weighed in the balance with the support in the Eco Towns PPS for the development of an eco town at NW Bicester and advice in the NPPF that development should be permitted because of the absence of a five year housing land supply provided unless there are significant and adverse impacts in doing so. The position with regard to prematurity has to form part of the planning balance in determining proposals.</p>

8	<b>Conclusion on the principle of development</b>
8.0.1	The site is not identified in the development plan and as such the proposal is contrary to adopted policy. It is therefore necessary to consider if there are material considerations that mean that permissions should be granted. The adopted policies are dated and the Eco Towns PPS and the emerging CSLP both identify the site for development as a way of providing the sustainable development needed within the District. Furthermore in the absence of a five year housing supply the NPPF advises that planning permission should be granted unless material considerations indicate otherwise. It is therefore necessary to consider the details of the proposal, its benefits and impacts and these are considered further below.
9	<b>Zero Carbon Development</b>
9.1	Eco town standard ET7 states; <i>The definition of zero carbon in eco-towns is that over a year the net carbon dioxide emissions from all energy use within the buildings on the eco-town development as a whole are zero or below. The initial planning application and all subsequent planning applications for the development of the eco-town should demonstrate how this will be achieved.</i> This standard is higher than other national definitions of zero carbon as it includes the carbon from the buildings (heating and lighting = regulated emissions) as with other definitions, but also the carbon from the use of appliances in the building (televisions, washing machines, computers etc = unregulated emissions). This higher standard is being included on the exemplar development which is being referred to as true zero carbon.
9.2	The NPPF identifies at para 7 that environmental sustainability includes prudent use of natural resources and the mitigation and adaptation to climate change including moving to a low carbon economy. Para 93 it identifies that <i>'Planning plays a key role in helping shape places to secure radical reductions in greenhouse gas emissions, minimising vulnerability and providing resilience to the impacts of climate change, and supporting the delivery of renewable and low carbon energy and associated infrastructure. This is central to the economic, social and environmental dimensions of sustainable development.'</i>
9.3	The CSLP policy Bicester 1 seeks development that complies with the Eco Town standard. Policy ESD2 seeks carbon emission reductions through the use of an energy hierarchy, Policy ESD4 encourages the use of decentralised energy systems and ESD5 encourages renewable energy development provided that there is no unacceptable adverse impact.
9.4	The application is accompanied by an energy strategy that sets out how the development will achieve zero carbon development. The strategy identifies measures to reduce energy use and then identifies the use of two energy centres (one is being provided as part of the exemplar development), to provide heating to the site. The exemplar energy centre is a gas (low carbon fuel), combined heat and power (CHP) plant and the carbon produced is off sett through the generation of electricity through photovoltaic cells (PV) situated on the roofs of all the buildings. The energy strategy identifies that the second energy centre would need to be bio mass and that PV on the buildings would also be required to achieve true zero carbon. The second energy centre is proposed just north of railway line in an area of mixed use development.
9.5	The proposals to achieve true zero carbon development are ambitious and exceed other developments taking place in the UK. The achievement of zero carbon will be phased and it is proposed in the application that the standard will be met by the time 500 dwellings are constructed. The phasing will need to reflect the phasing of

	development on the site and it is proposed conditions are used to deal with the timing of achievement of zero carbon. In addition there is rapid development in the area of renewables and CHP and further opportunities may arise, such as ability to connect to a heat network from Ardley or changes in renewable technology in the future and therefore some flexibility in the mix of technologies to achieve true zero carbon is required going forward. Therefore a condition is also proposed to enable the plan for achieving true zero carbon to be updated as development progresses.
10	<b>Climate Change Adaptation</b>
10.1	The Eco Towns PPS at ET8 advises; <i>Eco-towns should be sustainable communities that are resilient to and appropriate for the climate change now accepted as inevitable. They should be planned to minimise future vulnerability in a changing climate, and with both mitigation and adaptation in mind.</i>
10.2	CSLP policy ESD1 seeks the incorporation of suitable adaptation measures in new development to make it more resilient to climate change. Policy Bicester 1 requires all buildings requires all new buildings to be designed incorporating best practice in tackling over heating.
10.3	Work was undertaken by Oxford Brookes University and partners, with funding from the Technology Strategy Board (now innovate UK), in 2011/12 looking at future climate scenarios for Bicester to 2050. Climate Change impacts are generally recognised as; a) Higher summer temperatures b) Changing rainfall patterns c) Higher intensity storm events d) Impact on comfort levels and health risks The Design for Future Climate project identified predicted impacts and highlighted the potential for water stress and overheating in buildings as being particular impacts in Bicester. Water issues are dealt with separately below. For the exemplar development consideration of overheating led to the recognition that design and orientation of dwellings needed to be carefully considered to avoid overheating and in the future the fitting of shutters could be necessary to avoid overheating.
10.4	For the masterplan, and carried forward to the application plans, the following have been identified in the Sustainability Statement as influencing the design; • The development is designed to ensure that all buildings are located outside of the 1:100 year plus climate change and 1:1000 year flood zones. • Landscape design leads the design form and function of areas, with the retention of hedgerows, riparian corridors, woodland and ponds plus the creation of interconnecting green and blue corridors and places that provide shade and shelter, manage water and help regulate the urban temperature. • Delivers a development that has reduced its carbon emissions by delivering zero carbon buildings; that will also respond to future climate change issues such as overheating through the provision of appropriate insulation, shading and ventilation. More detailed building design issues will need to be dealt with at the reserved matter stage.
11	<b>Homes</b>
11.1	Eco towns PPS ET9 sets requirements for new homes at NW Bicester. It states homes in eco-towns should: (a) achieve Building for Life 9 Silver Standard and Level 4 of the Code for Sustainable Homes <sup>10</sup> at a minimum (unless higher standards are set elsewhere in this Planning Policy Statement) (b) meet lifetime homes standards and space standards (c) have real time energy monitoring systems; real time public transport

	<p>information and high speed broadband access, including next generation broadband where possible. Consideration should also be given to the potential use of digital access to support assisted living and smart energy management systems</p> <p>(d) provide for at least 30 per cent affordable housing (which includes social rented and intermediate housing)</p> <p>(e) demonstrate high levels of energy efficiency in the fabric of the building, having regard to proposals for standards to be incorporated into changes to the Building Regulations between now and 2016 (including the consultation on planned changes for 2010 issued in June 2009 and future announcements on the definition of zero carbon homes), and</p> <p>(f) achieve, through a combination of energy efficiency and low and zero carbon energy generation on the site of the housing development and any heat supplied from low and zero carbon heat systems directly connected to the development, carbon reductions (from space heating, ventilation, hot water and fixed lighting) of at least 70 per cent relative to current Building Regulations (Part L 2006).</p>
11.2	<p>Issues with regard to the design are considered further below. Building for Life is a scheme for assessing the quality of a development through place shaping principles. This will be relevant as the scheme moves forward and its use can be secured by condition. Lifetime homes standards were developed by the Joseph Rowntree Foundation to ensure homes were capable of adaptation to meet the needs of occupiers should their circumstances change, for example a family member becoming a wheelchair user. The standards are widely used for social housing. At this stage the application is in outline with no detail of the design of dwellings is included and therefore this requirement will be covered by condition.</p>
11.3	<p>Real time energy monitoring and travel information is being provided as part of the Exemplar development being constructed through the provision of tablet style information portals in every home. The use of these to provide additional information to the community to support sustainable lifestyles and community events is being planned. There is potential that these could in the future also be customised to meet specific needs of occupiers including health needs. This is an area where there is technical innovation and it would be inappropriate to specify a particular approach at this point in time and again this is a matter for detailed designs. A condition is proposed to ensure future detailed proposals address this requirement.</p>
	Affordable Housing
11.4	<p>Not only does the eco town PPS set out a requirement for affordable housing but the CLP policy H5 seeks affordable housing to meet local needs which is mirrored in NSCLP H7.</p>
11.5	<p>The NPPF advises that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework. The NPPF at para 50 goes on to advise;</p> <p><i>'To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:</i></p> <ul style="list-style-type: none"> <li>● <i>plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);</i></li> <li>● <i>identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and</i></li> <li>● <i>where they have identified that affordable housing is needed, set policies</i></li> </ul>

	<i>for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.'</i>
11.6	The CSLP policy BSC3 sets out a requirement for 30% affordable housing for sites in Bicester whilst policy BSC4 seeks a mix of housing based on up to date evidence of housing need and supports the provision of extra care and other specialist supported housing to meet specific needs.
11.7	The provision of 30% affordable housing can be secured by condition and/or S106 agreement, provided the scheme is viable. Initial work shows that the scheme can deliver 30% affordable housing. The detailed housing mix will also need to be agreed for both affordable and market housing to ensure that it meets local need and again a condition and/or S106 agreement are proposed to address the issue of the housing mix. This application also includes an extracare village comprising of 250 homes and supporting facilities. This will provide both market and affordable housing for older people and deliver a wider range of choice within the district. The provision of affordable housing is a significant benefit of the scheme.
	<b>Fabric energy efficiency and carbon reduction</b>
11.8	The PPS sets specific requirements for dwellings in terms of fabric energy efficiency and carbon reduction. The emerging local plan policy seeks a minimum of Code level 5 for homes. As part of the Exemplar development that is being undertaken the houses are being built to Code for sustainable homes level 5 with increased fabric efficiency and low carbon heating from an energy centre on site. This application proposes the continuation of the same approach of Code 5 houses and low carbon heating through energy centres and as such complies with this aspect of the PPS and emerging Local Plan.
11.9	The application makes provision for housing including extra care provision and affordable housing. The detail of the housing will be established through reserved matter submissions guided by the requirements of conditions and agreements attached to any outline permission. These conditions will ensure the housing meets the PPS standards and delivers high quality homes as part of a sustainable neighbourhood as sought in the NPPF.
12	<b>Employment</b>
12.1	The Eco Towns PPS sets out the requirement that eco towns should be genuinely mixed use developments and that unsustainable commuter trips should be kept to a minimum. Employment strategies are required to accompany applications showing how access to work will be achieved and set out facilities to support job creation in the town and as a minimum there should be access to one employment opportunity per new dwelling that is easily reached by walking, cycling and/or public transport.
12.2	The NPPF identifies a strong, responsive and competitive economy as a key strand of sustainable development (para 7) and outlines the Government's commitment to securing economic growth (para 18). The NPPF identifies offices, commercial and leisure development as town centre uses and advises a sequential test to such uses that are not in a town centre (para 24) and where they are not in accordance with an adopted plan. This policy is designed to protect the vitality of town centres and this has been an important consideration in developing the proposals for NW Bicester. Local retail, leisure and employment provision is sought to serve the needs of the new development and reduce the need to travel but the scale and mix of uses is such that they will not compete with the town centre so for example the proposals do not include large scale supermarkets or retail provision. The benefit of mixed use development for



	<p>large scale residential development is recognised, and a core principle of the NPPF is to promoted mixed use development and in other paragraphs such as para 38 the benefit of mixed use for large scale residential development is recognised. The requirement for a mixed use development is within the emerging CSLP but as it is not yet in an adopted plan the sequential test has to be considered. There are limited town centre sites available and none allocated for B1 employment space. The local provision for the site could not be provided in the town centre and deliver the sustainable community sought by the Eco Towns PPS and the CSLP as it would increase the need to travel. No concerns have been raised that the proposals will have significant adverse impact on the town centre and the expansion of the size of the town through developments such as this will increase the population the town centre serves increasing its viability. To ensure that retail premises do not compete with the town centre the size of units will be controlled through the use of planning conditions.</p>
12.3	<p>The CSLP sets out at para B.1 that it aims to support sustainable economic growth. Policy SLE1 requires employment proposals on allocated sites to meet the relevant site specific policy. The Policy Bicester 1 seeks;</p> <ul style="list-style-type: none"> <li>• a minimum of 10 ha, comprising business premises focused at Howes Lane and Middleton Stoney Road</li> <li>• employment space in local centres</li> <li>• employment space as part of mixed use centres</li> <li>• 3000 jobs, approx. 1000 B class jobs on the site</li> <li>• A carbon management plan produced to support applications for employment developments</li> <li>• An economic strategy demonstrating how access to work will be achieved and to deliver a minimum of 1 employment opportunity per dwelling easily reached by walking, cycling or public transport</li> <li>• Mixed use local centre hubs to include employment</li> <li>• Non residential buildings to be BREEAM very good and capable of achieving excellent</li> </ul>
12.4	<p>The application includes commercial development of the following types; retail, financial and professional services, restaurants and cafes, drinking establishments, office, R&amp; D, light and general industrial, residential and non residential institutions, assembly and leisure up to 8514m2. The application is accompanied by an application framework parameter plan that identifies the location of land uses on the site. The majority of the commercial uses are centred around an areas close to Lords Farm and Bucknell Road in the southern part of the site, to form a mixed use local centre and a small employment site. This part of the site is impacted by the need to provide a new road crossing under the railway and realign Bucknell road to discourage the use by through traffic. The proposed mixed use local centre, to include small scale retail, a primary school, community hall and site for a place of worship and some residential development. Adjacent land is identified for an extra care village whilst to the south 0.7ha is identified as a separate small employment site. A village green is identified centrally within the site containing a junior pitch and NEAP and an opportunity for a small retail/leisure premises is identified in association with this.</p>
12.5	<p>The A2D masterplan for the site was accompanied by an Economic Strategy developed with input from CDC, OCC, Bicester Chamber and Bicester Vision. This strategy looked at the opportunities for employment on the NW site in the context of Bicester and the employment allocations elsewhere in the town. The strategy identified the opportunity for some 4600 jobs on site within B1 business park, B2/B8 business park, an eco business centre, local centre employment, education and employment in retained farmsteads, homeworking and long term construction jobs. Around 1000 local service jobs would also be created in Bicester to serve the demands of residents of the development and many of these would be in the town centre.</p>
12.6	<p>The current application is also accompanied by an Economic Strategy. This responds specifically to the application and highlights that the A2D masterplan does not evenly</p>

	<p>distribute employment opportunities through the site with almost a third of the jobs being anticipated from the business park on the south west corner of the site. The strategy identifies just over 1000 jobs on site in the following forms 233 in office uses, 20 in business units, 420 home working, 210 in retail and other local services, 33 at the primary schools and 140 in long term construction. 1200 jobs in services are anticipated some of which would be on site such as in the local centres as identified above and in the extra care housing but others would be created elsewhere in the town.</p>
12.7	<p>The scheme does not therefore meet <u>on site</u> the PPS requirement of one job per dwelling and this application alone has not been shown to meet the provision from directly related off site jobs. However it would make a significant contribution to meeting the CSLP policy requirement. In addition the Council currently has an application in for the main employment location identified in the A2D masterplan (14/01675/OUT) as well as applications that include other local centre provision. Businesses cannot be forced to locations they do not see as appropriate. To attract businesses it is not only necessary to have appropriate sites but also to create the right environment to attract businesses. An action plan is attached to the A2D masterplan Economic Strategy which sets out how this environment can be created to attract and create employment opportunities both on site and through development but also within the town. This approach has been successfully used in connection with the Exemplar development that is currently taking place, to support local employment and apprenticeships and work with local suppliers and to raise the profile of the scheme within Bicester. It is therefore part of the recommendation that an economic strategy action plan is required, through a legal agreement, to be submitted and implemented for this application to support job creation to meet the PPS standard.</p>
12.8	<p>It is considered that the NW development as a whole will meet the local plan target for jobs and is capable of meeting the PPS standard. It is appropriate for this standard to be met across the site to ensure appropriate distribution of uses including viable local centres. For this application it is important that it contributes as set out in the strategy and through proactive work on the action plan not just by the applicants but by other organisations with a stake and role to play such as Cherwell through its economic development work, Oxfordshire County Council through its work on skills, Bicester Vision and Chamber through their work to promote opportunity in the town and businesses as well as education providers around skills and training.</p>
13	<p><b>Transport</b></p>
13.1	<p>The Eco Towns PPS sets out that Eco Towns should ‘support people’s desire for mobility whilst achieving the goal of low carbon living’. The PPS identifies a range of standards around designing to support sustainable travel, travel planning and travel choice, modal shift targets, ensuring key connections do not become congested from the development and ultra low emission vehicles.</p>
13.2	<p>The adopted Cherwell Local Plan policy TR1 requires the Council to be satisfied that transport infrastructure, traffic management and public transport required by the development will be provided. The NSCLP has a raft of policies relating to transport. Policy TR1 requires traffic generating development to contribute to achieving the objectives of the Local Transport Plan TR3 requires transport assessments and travel plans TR5 road safety TR6 public transport TR8 protects pedestrian and cycle routes TR9 requires cycle parking, TR11 requires parking, TR19 seeks residential roads to give priority to walkers, cyclists and bus operators and supports homezones, TR26 advises that the Council will work with OCC on highway schemes including Howes Lane improvement incorporating an new rail bridge.</p>
13.3	<p>The NPPF advises that the transport system needs to be balanced in favour of sustainable transport giving people a real choice about how they travel (para 29). It is</p>

	advised that encouragement should be given to solutions that support reductions in greenhouse gas emissions and reduce congestion (para 30). Transport assessments are required (para 32). The ability to balance uses and as part of large scale development have mixed used that limit the need to travel are identified (para 37 & 38).
13.4	The CSLP seeks walkable neighbourhoods, connectivity between new and existing communities, access to the countryside, access to public transport, mitigation of off site transport impacts and appropriate crossings of the railway line.
13.5	The application is in outline but supported by a movement and access parameter plan. This shows the route of a strategic road link from Lords Lane to the rail line and a primary route through the site, connecting with the exemplar access to Banbury Road. Secondary road locations are shown together with footpath links. This reflects the A2D masterplan that shows the realignment of Howes Lane, primary roads serving land either side of the rail line and a comprehensive network of footpaths and cycle paths across the site. The realignment of Howes Lane is the subject of a separate detailed application 14/01698/F which is yet to be determined, and includes details of the part of the route that is shown on the parameter plan for this outline application. The application is accompanied by a transport assessment that identifies the impact of traffic from the development and a draft travel plan.
	<b>Walking and Cycling</b>
13.6	The proposals have been developed to promote sustainable travel whilst also making provision for vehicular traffic so people have a choice in the way they travel. The location of local facilities on the site has looked to ensure that they are accessible by walking, cycling or public transport, including the siting of primary schools, local centres, open space and employment opportunities. Facilities have been grouped in the local centre including primary school, local retail and community facilities as suggested in the Eco Towns PPS. The local centres have been located close to the realigned Howes Lane so they can benefit from passing trade and also are closer to the existing population in the town to support their vitality and viability. Whilst this means that they are slightly further from properties proposed on the western edge of the site than if they were centrally located, they are more likely to be successful and therefore provide the local facilities sought and reduce the need to travel. The site layout, as shown on the framework parameter plan for the application, meets the PPS standard of homes being within 10 mins walk to frequent public transport route and the majority of the site meets the requirement regarding local services.
13.7	The DAS advises 'The development is based on a permeable network of low traffic routes which will have priority for pedestrians and cyclists by virtue of speed, surfacing and layout. There are also a number of pedestrian/ cyclist only links proposed to provide direct connections leading to key destinations and open spaces and with a direct alignment to the school and 'local centre' to the south. Pedestrian routes will be surfaced and lit with directional and distance signing'. The application is in outline so conditions will ensure this approach is embedded in detailed proposals.
13.8	One key connection that is included in the masterplan is a pedestrian/cycle route tunnel under the railway. This is excluded from the current application but is considered necessary to allow connectivity once development takes place either side of the rail line and facilities such as the secondary school are in place. It is therefore proposed that conditions are imposed to require its provision before the site is built out. If the site is built out from the edge of the existing town as has been suggested the pedestrian cycle tunnel is unlikely to be required until later in the development.
13.9	It is also important that the site is linked to the town and surrounding area and therefore off site walking and cycling site links will be secured, through conditions and legal agreements, including the upgrading the footpath alongside the railway to the

	Banbury Road, the upgrading of the southern section of the Banbury Road and linking to the field paths to the west of the site.
	Public Transport
13.1 0	To provide a choice in ways to travel attractive public transport is necessary. The application proposal is that a bus route will be established from the town centre to loop through the site, via Banbury Road and Lords Lane and return to the town via Bucknell Road. From the Town Centre other public transport can be accessed. The proposal is to provide 6 services an hour when the site is built out (a 10 minute frequency) and subject to viability a minimum of 4 per hour. The frequency of the buses is important as services need to be sufficiently frequent that people can simply turn up and know they will not have to wait long for the bus. Real time information on public transport is proposed for every home.
13.1 1	OCC advise that the service would start with a single vehicle and then increase as the development progressed, at agreed trigger points. The exemplar service would be subsumed into the service for the development north of the rail line. The bus service will require subsidy whilst it becomes established and this together with the details of the build up of the service would be controlled through the legal agreement.
13.1 2	The establishment of an attractive public transport offer will be important in securing a modal shift away from the use of the private car and achieving a 10 minute frequency is therefore important as well as the accessibility to bus stops from all the properties.
	Rail
13.1 3	Bicester is well served by rail and with the improvements to services to Oxford under construction and then proposals to extend services eastwards, this is an attractive mode of travel which is likely to make the town an attractive location to live and work. OCC has indicated that a contribution to the provision of improved rail services should be sought. However all contributions have to be compliant with regulation 122 of the CIL regs which identifies 3 tests for a contribution to be taken into account as a reason for approval. The first of these is whether the contribution is necessary to make the development acceptable. In this case whilst improvement to rail services is desirable it is not clear how the proposed contribution mitigates the impact of the development or what it would deliver and as such it does not appear to meet the requirements of the CIL regs, and, therefore is not included in the list of proposed requirements.
	Vehicle Movements
13.1 4	A transport assessment (TA) has been submitted that as well as dealing with sustainable transport proposals has assessed forecast traffic growth, network capacity, impact and mitigation. The scope of the assessment was agreed with the highway authority, OCC. The Bicester SATURN model was used to establish base traffic flows (2012). Proposed highway changes, for example the M40 junction improvements and proposals resulting from the expansion of Bicester village, were included in the model as well as committed and planned development under different scenarios to 2031. This has enabled the impact of traffic from the proposed application to be modelled and measures required to mitigate the impact of development to be identified.
13.1 5	The modelling has identified areas where highway mitigation is required. The original modelling was based on the development of the whole of the NW Bicester site and it has been necessary to look at the impacts of the current application and the wider scheme to make sure that it makes a fair contribution to the full mitigation that is required, but is also capable of implementation without causing traffic problems on the network. The areas of mitigation agreed with OCC are considered further below;
	Howes Lane/ Bucknell Road
13.1	For a number years it has been recognised that there is a need to improve the Howes

6	Lane and the junction of Howes Lane and Bucknell Road where it passes under the railway. This is demonstrated by the Policy TR26 of the NSCLP published in 2004. The current arrangements are not suitable to accommodate planned growth around Bicester, including the NW development. An interim scheme for the Howes Lane and Bucknell Road junction has been undertaken, secured through the Exemplar development, but major change is required to accommodate the growth now planned for the town. The rail line at the junction runs on a bridge and embankment at an angle to the road and to improve the junction and road alignment a new crossing of the railway is required and this requires third party land. It is proposed to address this constraint by relocating the junction to the west, beyond the Avonbury Business Park and Thames Valley Police premises. This enables a straight crossing under the rail line and provision of appropriate junctions, thus removing the constraints
13.1 7	The realignment of the existing Howes Lane, from the Middleton Stoney Road roundabout to the new underpass is proposed as part of the A2D Masterplan and is included in a separate planning application (14/01698/F) and also in outline applications 14/01641/OUT and 14/01675/OUT which remain to be determined. The realignment is sought to address the impact of the existing road on the existing houses and to improve its design and capacity and enable the provision of footpaths and cyclepaths, sustainable drainage, avenue planting, crossings and improved urban design. The current outline application includes the link between the proposed underpass location back to Lords Lane. OCC advise the proposed underpass and new junction are necessary to allow for the proposed growth of the town of which NW Bicester is part. The underpass does not form part of the current application but it is anticipated to be needed prior to the site being built out. It is therefore anticipated that OCC will recommend a condition limiting the number of units that can be occupied prior to the provision being made. An update will be provided at the meeting. Such a condition could prevent development continuing once commenced but in this case funding for the proposed underpass and road has been secured by A2Dominion, the applicants, and as such they are in a position to provide the underpass and road links subject to necessary agreements and permissions and therefore the use of such a condition is considered appropriate.
13.1 8	There have been concerns expressed regarding the Howes Lane realignment (as well as support), particularly on the effect on the speed of traffic. Whilst these concerns are recognised over all it is considered that the realignment of the road offers significant advantages and would continue to provide a high standard, convenient strategic vehicular route. Never the less the current application only includes a part of the route up to the railway and therefore until the crossing of the railway Lords Lane would remain. However before completion of the development, the new underpass to allow for the provision of a new junction would be required. This would need to be controlled through condition. The application does not commit a design for the remainder of the road.
	Bucknell Road
13.1 9	Bucknell Road east to the town centre is shown to carry additional traffic and the junction with Field Street shows delays. Options have been explored to improve the flow of traffic but none have shown an improvement on the current layout. OCC have recommended a financial contribution is sought to improve this junction and flows of traffic into the town.
13.2 0	With the growth of Bicester there is a concern that additional traffic would be attracted to use the Bucknell Road West to reach M40 J10 and that this could adversely affect Bucknell village and its environs. In addition the road between the village and the town is a rural route and as such is unattractive to walk or cycle along because of the speed and volume of traffic. To address these concerns it is proposed to make it a less direct route through the application site and to provide additional traffic calming within the village itself. This would also mean that from the development the existing road can be

	made an attractive and direct route for cyclists to access the town as it would no longer be a through route for vehicles.
	Banbury Road and Skimmingdish Lane
13.2 1	The application proposes to connect the primary road to the Exemplar development and as such provides access to Banbury Road. A junction on to Lords Lane is also proposed. The TA shows the need to mitigate the impact of traffic on the Banbury Road, Lords Lane roundabout, the Caversfield junction and Exemplar access. A remodelling of the Banbury Road roundabout to provide additional capacity has been suggested, which is needed in the longer term to accommodate growth in the town as well as NW Bicester. The improvement of the junction can be secured through legal agreements.
13.2 2	With the increase in traffic on the B4100 and the poor accident record in the vicinity of the Caversfield junction a junction improvement is necessary as mitigation. Two scheme options have been designed, both within the highway and again the improvement of the junction can be secured through a legal agreement. Increased traffic using the Exemplar entrance on to the B4100 will necessitate traffic lights at the junction in the longer term and again this could be secured through legal agreements.
13.2 3	Some traffic from the proposed development is likely to use the eastern peripheral routes including Skimmingdish Lane. Together with other increases in traffic there are capacity issues forecast on this route. However the modelling shows only relatively small percentage of the increased traffic is from NW Bicester. Given that the development at NW Bicester will deliver improvements to the network on the west side of the town, including resolving the current junction constraint at the Howes Lane/Bucknell junction, which will also benefit other developments, OCC are not seeking contributions for improvements to this route from this application.
	Travel Plan
13.2 4	The PPS sets mode share targets for traffic generated from the site (50% of trips originating in the development to be by non car means with potential to increase for 60%). It also advises that where an Eco Town is adjacent to a higher order settlement even more ambitious targets should be sought. The CSLP does not set a target but does identify the importance of sustainable travel. A framework travel plan has been submitted that sets out the strategy for sustainable travel measures. This includes a wider range of measures than simply providing the infrastructure described above and includes support for a car club, promotion of electric vehicle, cycle promotion, personal travel planning and support as well as monitoring. Whilst low emission vehicles do not address issues around traffic congestion they do have advantages in reducing air quality problems caused by other vehicles. The travel plan recognises the role they could play and looks to support the use of them through installation of charging points and deals on the access to the vehicles.
13.2 5	The application identifies a range of measures to support the use of sustainable modes but the target remains ambitious given the nature of the location, where some journeys can only be undertaken by car and the high car ownership within the area. Never the less the increase in sustainable travel is important to avoid the negative impacts of increased use of private cars. The implementation and monitoring of the travel plan is therefore important and would be required through the S106 agreement.
13.2 6	The assessment of the vehicular traffic has been undertaken and mitigation identified, the most significant of which would be the realignment of Howes Lane and the new route under the railway. This is outside of the current application but would be required prior to the site being developed out. Mitigation of the effects of vehicular traffic would be secured through a legal agreement and/or restriction on development.
13.2	The application therefore seeks to meet the eco town standards through the measures

7	proposed and makes a commitment to sustainable transport that goes beyond that which is normally found with other applications. Monitoring of the success of measures to achieve modal shift will be necessary and measures to address any shortfall in reaching the targets. This will need to be secured through legal agreements.
14	<b>Healthy Lifestyles</b>
14.1	The Eco Town PPs identifies the importance of the built and natural environment in improving health and advises that eco towns should be designed to support healthy and sustainable environments enabling residents to make healthy choices. The NPPF also identifies the importance of the planning system in creating healthy, inclusive communities. The CSLP identifies the need for a 7 GP surgery which is supported by information provided by NHS England.
14.2	The site would contain generous amounts of green space including allotments, country park and a site for a community farm. In addition the provision of a range of walking and cycling opportunities and provision for play and sport mean the site would encourage activity and healthy lifestyle choices.
14.3	In addition in the masterplan a location is identified for a GP surgery. This is located south of the railway line to reflect the advice of NHS England regarding the distribution of facilities around the town. A contribution to the provision of the facility is sought through the current application. The application proposals through the design approach and in securing contribution to health provision would meet the requirements of the PPS, NPPF and CSLP.
15	<b>Local Services</b>
15.1	The PPS identifies the importance of providing services that contribute to the well being, enjoyment and health of people and that planning applications should contain an appropriate range of facilities including leisure, health and social care, education, retail, arts and culture, library services, sport and play, community and voluntary sector facilities. The NPPF advises that to deliver social, recreational, cultural and services to meet the communities needs that you should plan positively to meet needs and have an integrated approach to the location of housing economic uses and community facilities and services (para 70). The CSLP Policy Bicester 1 identifies the following infrastructure needs for the site education, burial ground, green infrastructure, access and movement, community facilities, utilities, waste infrastructure and proposals for a local management organisation. BSC 12 seeks indoor sport, recreation and community facilities whilst BSC 7 supports the provision of schools in sustainable locations and encourages co location.
15.2	Considerable work has been undertaken to identify the social and community infrastructure required to support the development. This has informed the A2D masterplan and the current application. The application include the extension of the Exemplar primary school and the addition of a second primary school, a large community hall capable of accommodating a range of use including a visitor centre, land that could be used for a burial ground, site for a place of worship and sport and play provision. A cultural strategy has also been developed that would seek to ensure that culture and the arts was incorporated into development proposals. Some provision is more sensibly made off site such as the expansion of the new library in the town centre and the existing sports centre and swimming pool. Other provision will be sought on other parts of the NW Bicester site such as the secondary school and site for a doctors surgery. Where this is the case an appropriate financial contribution is sought. The secondary school site is required early to meet the needs of the application population and therefore this is sought prior to the site developing out, even though it is on land to the south of the railway. The applicant's advise that the provision of the school land can be achieved when required and the legal agreement will need to address this matter.

15.3	The work done on planning for social and community infrastructure will result in the PPS standard being achieved and compliance with the advice in the NPPF and CSLP.
16	<b>Green Infrastructure</b>
16.1	The application is accompanied by a Green Infrastructure and Landscape Strategy that sets out proposals for the application site and includes illustrations of how the key spaces could be laid out. The key green spaces included in this application are the land between Bucknell Road and the railway, the country park to the western edge of the site, the green located centrally to the application, the stream corridor and the retained woodland to the north west of the site. In addition the network of hedges and their buffers run through the site. The Design and Access Statement (DAS) includes a breakdown of land use and identifies that the application includes 46% green infrastructure, over 70 ha in a range of uses. Much of this area would be publicly accessible although 12.5 ha forming the school sites, the water treatment area and the burial ground may not be. Never the less it is clear that the application would achieve the quantity of green space the PPS requires.
16.2	The application has also been assessed against CSLP policy BSC 11 which is the minimum standard that most developments are expected to meet. This policy sets out standards for general green space, play space, formal sport and allotments. The policy seeks just over 17 ha of general amenity space where as the application proposes over 40ha and therefore exceeds requirements. For play space the policy seeks 4.9 ha and the application proposes 4.4 ha. This is slightly below the policy standard but could be increased through the incorporation of increased play provision within the general amenity areas at the detailed design stage. For allotments the policy seeks 2.3ha whereas the application indicates 2ha but does also include the community farm of 1ha so the combination of these uses would exceed the policy requirement. Policy ESD 18 requires green infrastructure networks to be integral to the planning of new development and requires proposals for management and maintenance.
16.3	On the advice of the Recreation and Health Improvement Manager the A2D masterplan sought a single location for sports pitches to serve the site to enable higher standard provision and to facilitate long term management and maintenance. In addition it was desirable for the sports pitches to be located adjacent to the secondary school site to facilitate future sharing of facilities. As a result the sports pitches are located outside the current application site and are identified south of the railway adjacent to the secondary school. The current application proposes a single junior pitch as part of the central green space, as well as school pitches in accordance with the A2D Masterplan.
16.4	The area identified on the A2D masterplan is the subject of application 14/02121/OUT, which does include the pitch area. However the application is yet to be determined and only if approved and implemented would the land for pitches be available. As a result a temporary solution for sports pitches has been sought as part of this application to ensure that if this application were to go ahead in the absence of others the town wide position on sports would not be adversely affected. The applicants have identified land between Bucknell Road and the rail line as an area where temporary pitches could be accommodated. However placing pitches in this area would prevent wetland treatment from the proposed water treatment area being established either delaying its provision or requiring a different form of treatment which would be regrettable. An alternative solution which has been discussed with OCC would be to make the temporary provision on the secondary school site. The secondary school site is 10.45ha but the school would be built in phases as pupils were generated from the development, the first phase would be a 600 place school whilst later phases would take it to 1200 places. There would therefore be land available in the early years of the development what could accommodate joint use pitches to which the community could have access. The advantage would be that the pitches created on the school site would remain in the long term and would not need to be removed at a later date.



16.5	The provision of adequate outdoor sport is important and it is proposed that contributions to the long term provision should be made but also temporary provision, if it is needed, in advance of the final pitch location being available. This would be secured through legal agreements.
16.6	In achieving the 40% green space sought by the PPS the application would deliver significant new areas of green space which the town does not currently benefit from such as the country park and green space that could be used for a burial ground. The green space could be a very attractive feature of the site. In complying with the PPS the application proposals meet the NPPF requirements and are capable of meeting the CSLP policy BSC11.
17	<b>Landscape and Historic Environment</b>
17.1	The Eco Town PPS advises that planning applications should demonstrate that they have adequately considered the implications for the local landscape and historic environment to ensure that development compliments and enhances the existing landscape character. Measure should be included to conserve heritage assets and their settings. The NPPF recognises the intrinsic character and beauty of the countryside (para 17). The NPPF advises that where significant development of agricultural land is demonstrated to be necessary, local planning authorities should seek to use areas of poorer quality land in preference to that of higher quality.
17.2	The adopted CLP Policy C7 seeks to prevent development that causes demonstrable harm to the topography and character of the landscape. NSCLP Policy EN34 seeks to conserve and enhance the character and appearance of the landscape through the control of development. Policy EN 36 seeks opportunities for to secure enhancement of the character an appearance of the landscape. CSLP policy ESD13 advises that development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character can not be avoided. Policy Bicester 1 requires 'a well designed approach to the urban edge which related development at the periphery to its rural setting' and development that respects the landscape setting and demonstrates enhancement of wildlife corridors. A soil management plan may be required and a staged programme of archaeological investigation.
17.3	<p>The Environmental Statement accompanying the application assesses the landscape and visual effects of the application. The Oxfordshire Wildlife and Landscape Study (2004) places the site within 'Wooded Estatelands' Landscape Character Type, with the following key characteristics:</p> <ul style="list-style-type: none"> <li>• 'Rolling topography with localised steep slopes.</li> <li>• Large blocks of ancient woodland and mixed plantations of variable sizes.</li> <li>• Large parklands and mansion houses.</li> <li>• A regularly shaped field pattern dominated by arable fields.</li> <li>• Small villages with strong vernacular character</li> </ul> <p>Three local landscape characters have been identified across the site; Caversfield Valleys and Ridges, Bucknell Ridge and Bucknell Valley Corridor. The ES identifies the landscape sensitivity as low of all three character areas. The ES concludes that the impact of development on them would be neutral. The Council's Landscape Office considers that the central part of the site, Bucknell ridge is more susceptible to development and the impact should be considered moderate and mitigated accordingly.</p>
17.4	The DAS and landscape strategy provide information and illustrations as to how development can be integrated into the landscape and how landscaping can be used to create an appropriate relationship between the proposed development and the countryside beyond. The Character of the landscape is such that it can accommodate change but care will need to be taken to ensure that the detailed design of proposals

	at the reserved matter stage, particularly with regard to the treatment of the rural edge.
17.5	The ES also considers the impact of proposals on the historic environment. There are no listed building within the site or other buildings considered to be heritage assets. An archaeological assessment that included an investigation of a 2% sample of the site. This has revealed five areas of 'concentrated archaeological activity' One of these areas dates predominantly to the Bronze Age, two of them date to the Iron Age and the remaining two date to the Roman period. All of these area contain numerous and, in places, complex archaeological features. To mitigate the impact on these features a programme of open area archaeological excavation would be carried out at each of these areas. One further area of archaeological activity of lesser value has been identified. This area contained predominantly ridge and furrow and some linear features. This area would also be subject to archaeological excavation in order to record the linear features.
17.6	Following the enclosure awards the site was divided into field in the late 18 <sup>th</sup> Century. The sequence of Ordnance Survey maps, which began in the later 19 <sup>th</sup> century, records the same field boundaries within the Site that are present today. The hedgerows are therefore considered part of the historic landscape character. Although there preservation was originally identified to maintain bio diversity it will also maintain and element of the historic landscape.
17.7	The application is accompanied by information that identifies the impact on the character of the landscape and historic features. The impact of the development on the character of the landscape is considered acceptable, all be it that detailed design will need to deal sensitively with the treatment of the urban/rural edge. The impact on the historic environment is most significantly the impact on the archaeology that is present on the site. This will be disturbed through development and it is proposed to mitigate this impact through the recording of the features. Hedges are proposed for retention except where it is necessary to form breaks for roads etc.
17.8	The CSLP also suggests a soil management plan may be required. The ES covers agriculture, soils and land use. The land has been identified as grade 3 agricultural land and it is suggested most falls within grade 3b. The ES advises; 'During construction, appropriate soil handling methodologies would be used, in line with current guidance, to ensure the sustainable re-use of soils and maximise the value of the retained soil resource within the proposed design. This would ensure that soils with the optimum characteristics are allocated for the given end use, such as food production, habitat creation or SuDS' . This can be secured by condition.
18	<b>Net Biodiversity Gain</b>
18.1	The Eco Town PPS requires that net gain in local biodiversity and a strategy for conserving and enhancing local bio diversity is to accompany applications. The NPPF advises the planning system should minimise impacts on bio diversity and providing net gains where possible, contribute to the Government's commitment to prevent the overall decline in bio diversity (para 109) and that opportunities to incorporate bio diversity in and around developments should be encouraged (para 118). The CSLP Policy Bicester 1 identifies the need for sports pitches, parks and recreation areas, play spaces, allotments, burial ground and SUDs and for the formation of wildlife corridors to achieve net bio diversity gain. Policy ESD10 seeks a net gain in bio diversity.
18.2	Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that "every public authority must in exercising its functions, must have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity" and;  Local planning authorities must also have regards to the requirements of the EC Habitats Directive when determining a planning application where European Protected

	<p>Species (EPS) are affected, as prescribed in Regulation 9(5) of Conservation Regulations 2010, which states that “a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions”.</p> <p>Articles 12 and 16 of the EC Habitats Directive are aimed at the establishment and implementation of a strict protection regime for animal species listed in Annex IV(a) of the Habitats Directive within the whole territory of Member States to prohibit the deterioration or destruction of their breeding sites or resting places.</p> <p>Under Regulation 41 of Conservation Regulations 2010 it is a criminal offence to damage or destroy a breeding site or resting place, but under Regulation 53 of Conservation Regulations 2010, licenses from Natural England for certain purposes can be granted to allow otherwise unlawful activities to proceed when offences are likely to be committed, but only if 3 strict legal derogation tests are met which include:</p> <ol style="list-style-type: none"> <li>1) is the development needed for public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature (development).</li> <li>2) Is there any satisfactory alternative?</li> <li>3) Is there adequate mitigation being provided to maintain the favourable conservation status of the population of the species?</li> </ol> <p>Therefore where planning permission is required and protected species are likely to be found to be present at the site or surrounding area, Regulation 53 of the Conservation of Habitats and Species Regulations 2010 provides that local planning authorities must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions and also the derogation requirements (the 3 tests) might be met. Consequently a protected species survey must be undertaken and it is for the applicant to demonstrate to the Local planning authority that the 3 strict derogation tests can be met prior to the determination of the application. Following the consultation with Natural England and the Council’s Ecologist advice given (or using their standing advice) must therefore be duly considered and recommendations followed, prior to the determination of the application.</p>
	<p>Site surveys have been undertaken in 2010/11 and walkover surveys were undertaken to confirm that they remained accurate for the site. The surveys identified the following habitats and species of medium importance on the site;</p> <ul style="list-style-type: none"> <li>• Hedgerows, water courses and broad leaved woodland and pond</li> <li>• Barn owl, breeding and over wintering birds and bat roost.</li> </ul> <p>The application is accompanied by a biodiversity strategy. The stream corridor, pond, woodland and the hedgerows on the site are all retained with buffers on the Landscape buffers parameter plan. The stream retained with a buffer either side is a key feature of the site. The hedgerows are also retained except where impacted by the road network or impractical within the layout around the local centre. The retention of the stream corridor and hedge buffers mean that wildlife corridors are created as sought by the CSLP Bicester 1 policy.</p>
18.3	<p>Although most bio diversity is proposed to be mitigated on site farmland birds cannot be as there will not be the scale of open fields that they require and similarly brown hare, although it is not evident that the site is currently of importance for this species. As a result it has been accepted that these species will need to be mitigated off site. An approach has been agreed that would allow either a farm scheme or the funding to be used for the purchase of land to secure mitigation for farmland birds. This would be secured through a legal agreement.</p>
18.4	<p>As well as habitat retention to achieve net bio diversity gain habitat creation and enhancement is required. The Defra Metric has been used to calculate that the A2D</p>

	<p>masterplan achieves net bio diversity gain. The application proposes that habitat creation and enhancements take place in the proposed country park, the waste water wetland treatment area, wet and dry SUDs features and woodland habitats. In addition buffer areas to the stream and hedges provide further opportunities and features within the built environment such as the green roofs, gardens and installation of net boxes also have the potential to create bio diversity gains. There are opportunities within the site to achieve a net gain in bio diversity but Applicant's have been asked to provide a revised calculation to demonstrate that the scheme does achieve net gain to inform future design of the open space areas.</p>
18.5	<p>Subject to securing the protection of habitats and the achievement of net bio diversity gain through conditions or legal agreements the application proposals will achieve a net gain in bio diversity meeting the requirement of the PPS, NPPF and CSLP. In protecting habitats and protected species sites section 40 of the NERC act and the requirements of the Habitat Directive are satisfied.</p>
19	<p><b>Water</b></p>
19.1	<p>The Eco Towns PPS states 'Eco Towns should be ambitious in terms of water efficiency across the whole development particularly in areas of water stress. Bicester is located in an area of water stress. The PPS requires a water cycle strategy and in areas of serious water stress should aspire to water neutrality and the water cycle strategy should;</p> <p>(a) the development would be designed and delivered to limit the impact of the new development on water use, and any plans for additional measures, e.g. within the existing building stock of the wider designated area, that would contribute towards water neutrality</p> <p>(b) new homes will be equipped to meet the water consumption requirement of Level 5 of the Code for Sustainable Homes; and</p> <p>(c) new non-domestic buildings will be equipped to meet similar high standards of water efficiency with respect to their domestic water use.</p>
19.2	<p>The NPPF advises at para 99 that when new development is brought forward in areas that are vulnerable care should be taken to ensure risks can be managed through suitable adaption measures, including through the planning of green infrastructure. The CSLP Policy ESD8 advises 'Development will only be permitted where adequate water resources exist or can be provided without detriment to existing uses.' Policy Bicester 1 requires a water cycle study and Policy ESD 3 requires new development to meet the water efficiency standard of 110 litres/person/day.</p>
19.3	<p>The application is accompanied by a Water Cycle Study (WCS). The WCS was drafted to accompany the A2D Masterplan and was formulated following a workstream meeting with the EA, Thames Water, CDC and OCC. The WCS confirms that non-residential buildings shall be designed with water efficient fixtures and fittings (and where appropriate reclamation of water) so as to reduce whole building potable water use by at least 55% from the baseline demand – in accordance with Excellent rating of BREEAM. Additionally, the WCS confirms that the design standard for all new dwellings will be that water efficient fixtures and fittings are specified to reduce average per capita consumption to 105 litres/person/day (l/p/d). Furthermore, the WCS confirms that additional design standards will specify that on site water recycling technologies are used locally to supplement domestic supplies, and hence reduce demand of potable water further to less than 80 l/p/d to meet Level 5 of the CSH water standards. The WCS estimates that the minimum design standards described above will reduce the potable water demand of the site from a baseline of 2.13 MI/d, to 1.3 MI/d. The Sustainability Statement describes this as 'a move towards the aspiration of water neutrality of nearly 40%. This level of potable demand is well within the growth levels assumed by Thames Water in their water resource management plan.'</p>
19.4	<p>The WCS highlights a number of possible strategies for further enhancing the water</p>

	neutrality of the development, including water efficiency retrofit of the wider area, reclamation of wastewater effluent and utilisation of local groundwater supplies (potentially with infiltration drainage ensuring that the aquifer water balance is not depleted). However, it advises that the strategic approach has not yet been established and further work is on going, including discussion with possible inset suppliers to ascertain technical feasibility, detailed design and phasing considerations.
19.5	It is encouraging that measures are proposed to reduce water use and this is consistent with the PPS and CSLP. However it disappointing that the measures to move towards water neutrality are still part of on going work. The EA have suggested that these issues could be addressed through the use planning conditions and therefore this approach is recommended.
20	<b>Flood Risk</b>
20.1	The Eco towns PPS advises that the construction of eco towns should reduce and avoid flood risk wherever practical and that there should be no development in Flood Zone 3. The NPPF advises that inappropriate development in areas of flood risk should be avoided (para 100) and that development should not increase flood risk elsewhere (para 103). The CSLP policy ESD6 identifies that a site specific flood risk assessment is required and that this needs to demonstrate that there will be no increase in surface water discharge during storm events up to 1 in 100 years with an allowance for climate change and that developments will not flood from surface water in a design storm event or surface water flooding beyond the 1 in 30 year storm event. Policy ESD 7 requires the use of SUDs.
20.2	The application is accompanied by a flood risk assessment and this identifies that the majority of the site lies in flood zone 1 ( land with less than a 1in 1000 annual probability of flooding). Along the stream corridor there are limited areas that are at higher risk of flooding but these all fall within the stream buffer of 60m and no built development is proposed in this area.
20.3	A surface water drainage strategy has been produced for the site and this demonstrates that surface water run off from the site will be restricted to green field run of rates. The application includes a SUDs and drainage parameter plan that shows areas of the site set aside for surface water balancing so the rate of surface water run off from the site can be restricted to the current green field rate.
20.4	The Environment Agency has been consulted on the application as well as OCC as the Lead Local Flood Authority and neither have raised objection subject to conditions. The application therefore complies with the PPS, NPPF and CSLP with regard to flood risk.
21	<b>Waste</b>
21.1	The Eco Towns PPS advises that applications should include a sustainable waste and resources plan which should set target for residual waste, recycling and diversion from landfill, how the design achieves the targets, consider locally generated waste as a fuel source and ensure during construction ensure no waste is sent to landfill. The National Waste Policy identifies a waste hierarchy which goes from the prevention of waste at the top of the hierarchy to disposal at the bottom. The National Planning Practice Guidance identifies the following responsibilities for Authorities which are not the waste authority; <ul style="list-style-type: none"> <li>•promoting sound management of waste from any proposed development, such as encouraging on-site management of waste where this is appropriate, or including a planning condition to encourage or require the developer to set out how waste arising from the development is to be dealt with</li> <li>•including a planning condition promoting sustainable design of any proposed development through the use of recycled products, recovery of on-site material and the provision of facilities for the storage and regular collection of waste</li> </ul>

	<ul style="list-style-type: none"> <li>•ensuring that their collections of household and similar waste are organised so as to help towards achieving the higher levels of the waste hierarchy</li> </ul>
21.2	<p>The application is accompanied by a Sustainable Waste and Resources Plan (SWRP). This sets the following targets;</p> <ul style="list-style-type: none"> <li>• For the percentage recycled/composted/reused: 70% from initial occupation; 80% by 2025</li> <li>• For residual waste levels: 300 kg per household per year from initial occupation; 200 kg per household per year by 2025</li> </ul> <p>The current Council recycling rate is identified as 54.5% which is high compared with the national average but against this the targets identified are considered appropriate. Conditions and/or legal agreements will be used to ensure measures to achieve the targets will be put in place.</p>
22	<b>Master Planning</b>
22.1	<p>The Eco Towns PPS sets out that <i>‘eco-town planning applications should include an overall master plan and supporting documents to demonstrate how the eco- town standards set out above will be achieved and it is vital to the long term success of eco towns that standards are sustained.’</i> The PPS also advises there should be a presumption in favour of the original, first submitted masterplan, and any subsequent applications that would materially alter and negatively impact on the integrity of the original masterplan should be refused consent.</p>
22.2	<p>The CSLP Policy Bicester 1 states <i>‘Planning Permission will only be granted for development at North West Bicester in accordance with a comprehensive masterplan for the whole site area to be approved by the Council as part of a North West Bicester Supplementary Planning Document.’</i></p>
22.3	<p>A masterplan and supporting documents have been produced by A2Dominion in consultation with the Council and other stakeholders. This masterplan has been the subject of public consultation. The development at NW Bicester will take place over a number of years and as such it was considered important that the key components of the masterplan are enshrined in planning policy and therefore the Council has produced a draft SPD. The SPD has been the subject of consultation, and representations are being considered before it is reported to the Council’s Executive for approval as informal guidance and adoption following the adoption of the CSLP. This raises the issue of whether it is premature to consider the application in advance of the SPD being formally approved. The Advice on prematurity is referred to paragraph 7.8 in relation to the CSLP but also needs to be considered in the context of the SPD. The NPPG advises that only rarely will it be appropriate to refuse an application on the grounds of prematurity and normally only where the adverse effect of the proposal outweighs the benefits. Conditions are identified where it may be appropriate to do so including where it would undermine the plan making process. This is not considered to be the case as the proposals are consistent with the A2D masterplan on which the SPD is based.</p>
22.4	<p>The NW Bicester site identified in CSLP is large and it is important that development is undertaken in such a way as to deliver a comprehensive development. A masterplan is an important tool in achieving this particularly when there is not a single outline application covering the site as in this case. The current application together with the exemplar site, which already has planning permission and is being developed, cover the vast majority of land in the NW site north of the railway line and the proposal is to develop them in accordance with the A2D masterplan. This large application is able to create a sustainable neighbourhood and meet the majority of necessary requirements on the site. The site for the secondary school and community sports pitches as well as highway infrastructure lie beyond the site boundary but the applicant has advised they are able to deliver school, temporary sports provision and the realigned Howes Lane. This is key to establishing an acceptable development and would need to be</p>

	secured through legal agreements. It will also be necessary to ensure that a position does not arise whereby other developers on the NW site are held to ransom through the failure to deliver infrastructure on this site and the aim is to ensure this does not occur, although a reasonable connection charge might be sought, through the use of legal agreements.
22.5	The Eco Towns PPS, the A2D masterplan and the emerging SPD provide a framework for securing a comprehensive development. Although the SPD is not yet approved it has progressed to an advanced stage and been informed by consultation of the A2D masterplan and the draft SPD and as such can be given some weight in the consideration of the current application.
23	<b>Transition</b>
23.1	<i>The Eco Towns PPS advises that planning applications should set out;</i> <i>(a) the detailed timetable of delivery of neighbourhoods, employment and community facilities and services – such as public transport, schools, health and social care services, community centres, public spaces, parks and green spaces including biodiversity etc</i> <i>(b) plans for operational delivery of priority core services to underpin the low level of carbon emissions, such as public transport infrastructure and services, for when the first residents move in</i> <i>(c) progress in and plans for working with Primary Care Trusts and Local Authorities to address the provision of health and social care</i> <i>(d) how developers will support the initial formation and growth of communities, through investment in community development and third-sector support, which enhance well-being and provide social structures through which issues can be addressed</i> <i>(e) how developers will provide information and resources to encourage environmentally responsible behaviour, especially as new residents move in</i> <i>(f) the specific metrics which will be collected and summarised annually to monitor, support and evaluate progress in low carbon living, including those on zero carbon, transport and waste</i> <i>(g) a governance transition plan from developer to community, and</i> <i>(h) how carbon emissions resulting from the construction of the development will be limited, managed and monitored.</i>
23.2	The timing of the delivery of community services and infrastructure has been part of the discussions that have taken place with service providers in seeking to establish what it is necessary to secure, through legal agreements, to mitigate the impact of development. This has included working with Oxfordshire County Council on education provision and transport, NHS England, Thames Valley Police and CDC's Community Development Officer. Considerable work has been undertaken by A2Dominion, the applicant, in partnership with the Council and local organisations with regard to establishing a community management organisation (LMO).
23.3	The monitoring of the development is important and will allow the success of the higher sustainability standards to be assessed and inform future decision making. A monitoring schedule has been developed for the Exemplar development that is currently under construction. This was secured through the legal agreement accompanying the application and a similar approach is proposed for the current application.
23.4	The limiting of carbon from construction has been addressed through the work done on the Exemplar application using measures such as construction travel plans, work on reducing embodied carbon and meeting CEEQAL (sustainability assessment, rating and awards scheme for civil engineering). The further use of these measures for the current application can be secured by conditions and/or legal agreements.

23.5	The requirements for transition arrangements can therefore be met and secured as part of any planning permission that might be granted.
24	<b>Community Governance</b>
24.1	The Eco Towns PPS advises that planning applications should be accompanied by long term governance structures to ensure that standards are met, maintained and evolved to meet future needs, there is continued community involvement and engagement, sustainability metrics are agreed and monitored, future development meets eco town standards and community assets are maintained. Governance proposals should complement existing democratic arrangements and they should reflect the composition and needs of the local community. CSLP Policy Bicester 1 requires the submission of proposals to support the setting up of a financially viable local management organisation.
24.2	Work with a group of local stakeholders has been underway by the applicants and CDC officers for a couple of years. This has demonstrated there is a local appetite for such an organisation and helped to inform the role the LMO could play in future management of the development. As part of the work on the Exemplar application an interim management body will be formed to help inform and shape the management of the site. When the development reaches a critical mass this will move to a more formal structure and then to a fully-fledged LMO. The aim is for the LMO to develop as the development grows, subject to the residents and businesses having the appetite to take on the responsibility. Discussions have taken place with regard to the funding of the organisation and a mix of funding has been sought including an endowment of funds and property that could potentially generate an income.
24.3	There has been good progress in progressing the LMO through the work on the Exemplar application and to ensure the PPS and CSLP requirements are met details of the setting up of the LMO and funding for it so that it can be sustainable in the long term will be included in legal agreements for the site.
25	<b>Design</b>
25.1	The NPPF advises 'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people' (para 56). The NPPF encourages consideration of the use of design codes, design review and advises great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. The Eco Towns PPS seeks the achievement of Building For Life as a measure of the quality of the development.
25.2	The CSLP policy ESD 16 on the character of the built and historic environment sets out 17 requirements for new development whilst Policy Bicester 1 has a further 33 design and place shaping principles. These requirements include contributing to the areas character, respect traditional patterns and integrate, reflect or re-interpret local distinctiveness, promote permeability, take a holistic approach to design, consider sustainable design, integrate and enhance green infrastructure, include best practice in overheating, enable low carbon lifestyles, prioritise non car modes and support sustainable transport, providing a well-designed approach to the urban edge, respect the landscape setting, visual separation to outlying settlements, provision of public art.
25.3	The DAS explains the proposals for the site and the application is accompanied by parameter plans including a framework plan and a building heights plan that would guide proposals for the site. The application is in outline with all matters reserved. The DAS provides further information but has not developed the character areas in any great detail. The Council's Urban Design Team Leader has raised concern about the level of design detail accompanying the application.



25.4	Some of the principles on which the framework plan is based are questioned. Concerns are expressed with regard to the primary street and the route that it takes. The route is shown on the parameter plans but detailed design would be part of future reserved matter submissions. The route that the perimeter road takes is anticipated to be the bus route that will serve this part of the development and as such needs to be accessible to the whole site. In addition the future layout should support use of sustainable modes and therefore it is anticipated that in some parts of the site these will be more direct than vehicle routes. Legibility can be maintained through the detailed design. The provision of separate walking and cycling provision has also been questioned but the proposals seek a range of routes, from those providing direct access to those that are of a recreational value and the details of these will need to be provided as part of the detailed design work for the site.
25.5	The impact of the retention of hedgerows on future layouts is questioned. However the retention of hedgerows, with buffers, has been supported and promoted by ecologists because of their contribution to bio diversity and they have also been identified as important parts of the historic landscape. Therefore whilst they do place some constraints on the design they will also contribute to the character of the place and provide opportunities for local green space. It is therefore considered appropriate for the design to work with the hedgerows
25.6	Issues with regard to the design of the local centre have been raised. Further design discussions have taken place regarding the local centre and these are being informed by commercial advice as suggested in the urban design comments. These discussions are on-going and therefore at this stage the local centre is to be shown on the parameter plan generically whilst the design work reaches a conclusion about the best layout of the mix of uses within the area. As the application is in outline there is an opportunity for further design work to be secured through conditions. Similarly issues re car parking need to be resolved at the detailed design stage and this can be covered by conditions.
	Given the unique nature of the site it is proposed that a design review process is required for all detailed proposals going forward to make sure that they achieve high quality design as well as the high sustainability standards required. It is anticipated that sustainability will lead the design for the development and therefore it is likely to have a unique character. Never the less it will need to also be routed in the location and appropriate for the area.
25.5	The framework plan provides a sound basis, all be it at a high level, on which further detailed design can be based. Design will need to be developed and this can be secured through the imposition of conditions to fulfil the requirements of the policies in the CSLP.
26	<b>Planning Conditions and Obligations</b>
26.1	<p>The NPPF advises that LPAs should consider whether otherwise acceptable development could be made acceptable through the use of conditions or obligations. Obligations should only be used where it is not possible to use a planning condition (para 2013). Paragraph 204 advises planning obligations should only be sought where they meet the following tests;</p> <ul style="list-style-type: none"> <li>• necessary to make development acceptable in planning terms</li> <li>• directly related to the development and</li> <li>• fairly and reasonably related in scale and kind to the development.</li> </ul> <p>Conditions should only be imposed where they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects (para 206). The NPPF also advises at para 205 that where obligations are being sought LPAs should ‘take account of changes in market conditions over time’ and ‘be sufficiently flexible to prevent planned development being stalled’.</p>

26.2	<p>Planning obligations need to meet the requirements of Community Infrastructure Levy (CIL) regulations section 122 which states  'A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—  (a)necessary to make the development acceptable in planning terms; .  (b)directly related to the development; and .  (c)fairly and reasonably related in scale and kind to the development.'</p> <p>In addition from April 2015 CIL reg 123(3) will limit the number of planning obligations to 5 that can be used to secure a project or type of infrastructure if that obligation is to be taken into account as a reason for approval. It is believed that the obligations identified in the Heads of Terms in Appendix 1 all meet the Regulation 122 and, as far as relevant, the Regulation 123(3) tests and can be taken into account as part of the justification for the grant of consent.</p>
26.3	<p>This large scale development proposal will require a legal agreement to secure the mitigation and infrastructure necessary to make the development acceptable. The planning obligation is proposed in two parts, the first to seek to ensure those elements required to secure a high quality of design and sustainability and that the scheme contributes to securing a comprehensive development of the NW site. The second will deal with the site specific requirements, as with other developments, including schools, highway mitigation, affordable housing, open space laying out and maintenance, community halls and community development, public transport and contributions for a doctors surgery, Thames Valley police and other matters.</p>
26.4	<p>Planning obligations must be negotiated with developers. This application is both large scale and complex and therefore the matters to be secured by planning obligation have been the subject of discussion with both the applicant and OCC. The applicant has indicated the scale of financial obligations they consider can be afforded by the development. Currently the contributions sought are approximately 0.7% in excess of the figure indicated and further work is being done to see if it is possible to reach agreement including having the applicant's financial viability reviewed. Given the relatively small difference it is anticipated that agreement will be reached. . Depending on the outcome of the discussions it may be necessary to include a review mechanism that allows the viability of contributions to be reconsidered as the development progresses.</p>
26.5	<p>One matter that remains outstanding is discussions with Network Rail as to whether they will seek a payment for allowing the connection under the railway. They have no technical objection but do seek to secure value for allowing works that enable development to take place. Network Rail has appointed a surveyor to advise them regarding the matter and the applicant is waiting to hear further. If a financial payment has to be made to Network Rail it could impact on the viability of the scheme. If this resulted in significant changes to the Heads of Terms attached then it may be necessary to return the application to the committee for further consideration in the light of changed circumstances.</p>
26.6	<p>In addition to a planning obligation a range of planning conditions are required to secure acceptable development. Conditions will need to control the timing of development taking place particularly in relation to the provision of the road under the railway. These conditions are known as 'Grampian' conditions and the NPPG advise such conditions 'should not be used where there are no prospects at all of the action in question being performed within the time-limit imposed by the permission'. In this case there is a reasonable prospect that the road can be provided as the applicant has control of land either side of the underpass, Network Rail have not objected to its provision and HCA funding is available to support its delivery and in these circumstances the use of a Grampian condition is considered appropriate and in accordance with the guidance.</p>

<b>27</b>	<b>Other Matters</b>
27.1	Although the above sections cover most matters, the ES does include the following matters; air quality, noise, and contamination.
27.2	The NPPF at para 109 identifies one of the roles of the planning system is 'preventing new or existing development from contributing to or being out at unacceptable risk from, or being adversely affected by unacceptable levels of soil, air, water or noise pollution or land instability. The CLP ENV12 requires adequate measures to deal with any contaminated land whilst the NSCLP Policy EN5 advises that regard will be had to air quality, Policy EN6 seeks to avoid light pollution whilst Policy EN7 looks to avoid sensitive development in locations affected by high levels of road noise and Policy EN17 deals with contaminated land. CDC has identified that Kings End/ Queens Avenue in Bicester should be declared an Air Quality Management Area.
27.3	An assessment of the proposals impact on air quality is included in the ES and addendum to the ES. Two receptors have been identified, human receptors and sites of ecological value. Monitoring has taken place in locations around the town. The ES concludes that there is some risk from dust during construction activities but mitigation measures could control emissions. Emissions from road traffic and the energy centre were considered negligible on human receptors, slight adverse impacts at two ecological receptors at Ardley Cutting SSSI but critical levels were not predicted to be exceeded. Cumulative impacts from developments were not considered greater.
27.4	It is therefore considered that the scheme is acceptable and would comply with the NPPF with appropriate conditions.
27.5	Noise has also been considered in the ES and surveys undertaken. The ES identifies that construction noise could have adverse impacts without mitigation but that with mitigation the impacts could be mitigated. The measures to ensure construction would not cause a nuisance would be set out in an Construction Environment Management Plan (CEMP) which could be required by condition. When the site is built out there may be plant associated with energy centre and local centre. The impact of these would be through design details and these could be dealt with at the reserved matter stage. Some of the site would be impacted by road traffic noise from the B4100 and A4095. The revised alignment of Howes Lane would reduce the noise impact on existing properties. Areas of the site affected by higher noise levels would need to be addressed at the detailed design stage. The ES advises that noise and vibration surveys along the railway line adjacent to the site indicate that impacts are unlikely with the adoption of suitable separation distances between receptors and the railway.
27.6	It is considered that with suitable conditions noise issues can be mitigated both on and off site.
27.7	The ES addresses contamination. The report highlights that the land has been in agricultural use since historical mapping was available in 1881. Investigation of sample locations have shown the site to be a low risk but mitigation measures are suggested for construction workers, the environment and as part of future development phases. These matters can be addressed by planning conditions.
27.8	Subject to the inclusion of suitable conditions to secure mitigation the proposals would comply with the NPPF, CLP and NSCLP policies.
<b>28</b>	<b>Pre Application Engagement</b>
	The NPPF advises that 'early engagement has significant potential to improve the efficiency and effectiveness of the planning application system for all parties. Good quality pre application discussion enables better coordination between public and private resources and improved outcomes for the community' (para 188). The A2D masterplan and these application proposals have been subject of genuine stakeholder

	and public engagement. This has informed and shaped the proposals and ensured that where possible they reflect the aspirations of the town.
29	<b>Engagement</b>
	With regard to the duty set out in paragraphs 186 and 187 of the Framework, there has been engagement over the details of the proposal. It is considered that the duty to be positive and proactive has been discharged through discussion with the applicant on site.
30	<b>Conclusion</b>
30.1	The application proposals are contrary to the adopted Cherwell Local Plan (the Development Plan). Planning decisions should be in accordance with the Development Plan unless material considerations indicate otherwise. In this case there are other significant material considerations, particularly the Eco Towns PPS, The NPPF and the emerging CSLP.
30.2	The Eco Towns PPS identifies NW Bicester as a location for an eco town and this is a material consideration in the determination of the application. In addition the PPS sets standards for eco town development that it identifies as 'challenging and stretching to ensure they are exemplars of good practice and sustainable living'. The application proposals have gone a long way in meeting each of the standards, providing a proposal that exceeds the normal standard of new development and with the potential to be a national exemplar of sustainable development.
30.3	The NPPF advises where housing policies in local plans are out of date, as is currently the case in Cherwell, that there is a presumption in favour of sustainable development and that planning permission should be granted unless the adverse impacts of going so 'would significantly and demonstrably outweigh the benefits', when assessed against the policies in the Framework taken as a whole. It is therefore necessary to consider the balance of the issues the application raises in reaching a decision.
30.4	The CSLP has reached an advanced stage but cannot yet carry the weight of adopted policy. Never the less it is a material consideration and identifies the NW site for development as part of the Council's approach to delivering necessary development for the district. The support of the CSLP weighs in favour of the application. Never the less the timing of the application raises issues as the CSLP is not yet adopted, or the NW Bicester SPD, and as such there is no formal approval of a masterplan for the site. It is necessary to consider whether it is premature to consider the application in these circumstances. The application is for a large development and it would be preferable for the local plan and the SPD to have proceeded to adoption and this weighs against the proposal. However this would delay the application and has to be balanced against other material considerations.
30.5	The application includes a significant amount of housing, including affordable housing and extra care housing. Some of this housing is capable of being delivered within the next five years and contributing to the five year housing land supply and this weighs in favour of the proposal. In addition the scheme would deliver employment through an identified site and development of a local centre, extra care housing and education provision. The NPPF looks to support sustainable economic development and the mixed use nature of this proposal weighs in its favour.
30.6	The proposals relate to green field land and the NPPF recognises the importance of the protection of the countryside, although the site is not the subject of any specific designations. The CSLP identifies the site for development having considered how best to meet the growth needs of the district and therefore accepts as necessary the loss of the countryside. The application proposals incorporate significant areas of green space, incorporate and maintain features of bio diversity value and show how they can achieve a net biodiversity gain. This weighs in favour of the proposal. Whilst

	the loss of countryside weighs against the proposal the protection of bio diversity and the proposals for a net gain weigh in its favour.
30.7	The residents of this large scale proposal will need to travel and the TA has assessed the impact of the proposals. The application proposes measures to encourage and support the use of sustainable modes as well as setting ambitious targets on mode share. The proposals also make provision for off site highway improvements, although the construction of the rail underpass to relive the Howes Lane/Bucknell Road junction is not included in the application. To prevent congestion that could occur if this provision was not made a Grampian condition is proposed to limit the extent of development that could be undertaken prior to the underpass being in place. The measures relating to sustainable transport and mitigation of the off site impacts weigh in favour of the proposal.
30.8	The application proposals include a range of community infrastructure to support the establishment of a sustainable place, including schools, community hall, play and sport provision, land for burial ground and country park. The proposal will also support off site provision, primarily within the town, such as the expansion of the sports centre and new library provision. Although the infrastructure is necessary to mitigate the impacts of the development some provision, such as the country park, is likely to be used by existing Bicester residents as well, as there is not the provision elsewhere in the town. The application is currently in outline with all matters reserved but the framework parameter plan will provide the basis for more detailed proposals. The application provides the basis for an exemplar sustainable development, continuing the approach of the Exemplar development that is currently under construction. The sustainability features of the proposal, which go beyond what is commonly provided, weigh in favour of the proposal.
30.9	The current application does not cover the whole of the NW site and as such it is necessary to consider whether it is capable of delivering comprehensive development. Given the size of the application it is able to provide for a sustainable neighbourhood on site and in an appropriate way. The only areas where this is not the case, is with regard to the secondary school site and sports pitches. Separate applications that have been submitted which do include these provisions and in the case of the secondary school the application is by the same applicant and it has been indicated that it will be possible to secure the secondary school site. There are also options for providing temporary sports pitches if the permanent pitch location is not available. Through the use of conditions and agreements it is considered that a comprehensive approach to development can be secured in this case and as such the harm that would arise from piecemeal development can be addressed.
30.10	The application proposals would provide sustainable development and on balance would not give rise to significant and demonstrable harm that outweighs the benefits of the granting of planning permission. The application is therefore recommended for approval as set out below.
<b>31</b>	<b>Environmental Impact Assessment Determination</b>
31.1	Regulation 24 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 requires; 24.—(1) Where an EIA application is determined by a local planning authority, the authority shall— (a)in writing, inform the Secretary of State of the decision; . (b)inform the public of the decision, by local advertisement, or by such other means as are reasonable in the circumstances; and . (c)make available for public inspection at the place where the appropriate register (or relevant section of that register) is kept a statement containing— . (i)the content of the decision and any conditions attached to it; . (ii)the main reasons and considerations on which the decision is based including, if

	<p>relevant, information about the participation of the public; .</p> <p>(iii)a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development; and .</p> <p>(iv)information regarding the right to challenge the validity of the decision and the procedures for doing so.</p>
31.2	<p>It is therefore <b>recommended</b> that this report and the conditions and obligations proposed for the development are the treated as the statement required by Reg 24 C (i) - (iii) . The information required by Reg 24 C(iv) will be set out on the planning decision notice.</p>

<p><b>32</b></p>	<p><b>Recommendation</b></p> <p><b>Approve Subject to;</b></p> <ul style="list-style-type: none"> <li>• the receipt of revised parameter plans that provide clarity of the matters included</li> <li>• the receipt of a calculation demonstrating a net gain in bio diversity</li> <li>• 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</li> <li>• the following conditions;</li> </ul> <p>CONDITIONS TO FOLLOW</p> <p><b>STATEMENT OF ENGAGEMENT</b></p> <p>In accordance with the Town and Country Planning (Development Management Procedure) (England) (Amendment No 2) Order 2012 and paragraphs 186 and 187 of the National Planning Policy Framework (March 2012), this decision has been taken by the Council having worked with the applicant/agent in a positive and proactive way as set out in the application report.</p>
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**CONTACT OFFICER: Jenny Barker**

**TELEPHONE NO: 01295 221828**

Appendix A Plan of NW Applications  
Appendix B Summary Heads of Terms