

**Site Address: North And South Arcade  
At Bicester Eco Town Exemplar Site,  
Charlotte Avenue, Bicester**

**15/00760/F**

**Ward:** Caversfield

**District Councillor:** Councillor Corkin

**Case Officer:** Caroline Ford

**Recommendation:** Approval

**Applicant:** A2 Dominion

**Application Description:** Development of a new Local Centre comprising a Convenience Store (use class A1), Retail Units (flexible use class A1/A3/A5), Pub (use class A4), Community Hall (use class D1), Nursery (use class D1), Commercial Units (flexible use class A2/B1/D1) with associated Access, Servicing, Landscaping and Parking with a total GEA of 3,617 sqm

**Committee Referral:** Major

**Committee Date:** 26 November 2015

## **1. Site Description and Proposed Development**

- 1.1 The site sits to the North West of Bicester to the west of the B4100 Banbury Road and within the Eco Town Exemplar site which is currently under construction along the Main Street (now called Charlotte Avenue). The site has some potential for ecological interest; however there are no other site constraints. The land is however part of the construction site for the Exemplar and is currently being used as a construction compound area. The outline application was accompanied by an Environmental Impact Assessment, which assessed the environmental implications of development on the site as a whole.
- 1.2 The application seeks permission for a full application for a local centre to serve the site, comprising a convenience store, other retail units (with a request for flexible uses within classes A1, A3 and A5), a pub, community hall, nursery and commercial units. The proposal seeks permission for the associated access, servicing arrangements, landscaping and parking.
- 1.3 More specifically, the proposals seek permission for:
  1. The provision of 869m<sup>2</sup> of floor space to be used as a nursery (Use Class D1)
  2. The provision of 503m<sup>2</sup> of floor space to be used as a convenience store (Use Class A1)
  3. The provision of 523m<sup>2</sup> of floor space to be used as a community hall (Use Class D1)
  4. The provision of 444m<sup>2</sup> of floor space to be used for retail (within flexible use classes A1, A3, A5) within five units
  5. The provision of 664m<sup>2</sup> of floor space to be used as a pub and associated restaurant (Use Class A4)
  6. The provision of 614m<sup>2</sup> of floor space to be used as commercial premises (Use classes A2, B1, D1) within four units
  7. 34 public car parking spaces and 23 staff car parking spaces (and 23 spaces for the Eco Business Centre are indicated)
  8. 46 covered staff cycle parking spaces, 24 covered public cycle parking spaces and 84 uncovered public cycle parking spaces
  9. All commercial buildings to be constructed to achieve BREAAAM 'Excellent'
  10. The development to be 'true' zero carbon to be achieved through a range of measures
  11. Aspiration to water neutrality and the provision of SUDs
  12. New roads and footpaths designed to give priority to sustainable modes of

transport.

The development is proposed to be formed of two arcades, one to the north and one to the south with, both predominantly two storey with a flat roof (other than a pitched roof over the community centre and 'bookend' three storey features at each end of the two arcades. The maximum height of the buildings would be 13.6m. The design of the site, including the street will be outlined in further detail below.

- 1.4 The most relevant planning history relates to the permission granted for the Exemplar site:

10/01780/HYBRID (Permitted)

Development of Exemplar phase of NW Bicester Eco Town to secure full planning permission for 393 residential units and an energy centre (up to 400 square metres), means of access, car parking, landscape, amenity space and service infrastructure and outline permission for a nursery of up to 350 square metres (use class D2), a community centre of up to 350 square metres (sui generis), 3 retail units of up to 770 square metres (including but not exclusively a convenience store, a post office and a pharmacy (use class A1)), an Eco-Business Centre of up to 1,800 square metres (use class B1), office accommodation of up to 1,100 square metres (use class B1), an Eco-Pub of up to 190 square metres (use class A4), and a primary school site measuring up to 1.34 hectares with access and layout to be determined.

## 2. Application Publicity

- 2.1 The application has been advertised by way of site notice and press notice. The final date for comment was the 19th October 2015. No third party correspondence has been received as a result of this consultation process.

## 3. Consultations

- 3.1 **Caversfield Parish Council:** No comments or objections

- 3.2 **Bicester Town Council:** No objection but it is hoped that the community hall is a multi-use facility and large enough to provide facilities and support for the community from the start. It should also be ensured that the management of the community hall is independent of any Local Government Authority.

### Cherwell District Council Consultees

- 3.3 **Landscape Officer:** Comments made in relation to the landscape plans and relate to the proposed need for landscaping within the north rear parking court, the chosen tree species for this area, the need for clarity in relation to the retained hedgerow buffer and the need for the trees within this hedgerow mix to be revised. The green roof plant species are considered to be acceptable as are the hard landscape materials; however it is considered that the timber benches should be replaced by benches with a back rest and armrests. The tiered secure cycle compounds are not considered to be attractive and it is considered these should be replaced with an alternative that is more sympathetic to the scheme.

- 3.4 **Arboricultural Officer:** Comments made with regard to the chosen tree species as whilst the desire for uniformity in the planting scheme is understood, there is an opportunity to encourage species diversity and improve bio-security on site by selecting an alternative species. All trees within hard landscaped areas must be planted within load bearing planting pits. Comments are also made in relation to the north arcade and the need for planting there. The boundary planting scheme for the

south arcade is generally considered to be acceptable. Conditions are recommended.

- 3.5 **Ecology:** No objections to the proposed planting or overall landscaping. The biodiversity enhancements outlined are all valuable and largely in line with the Exemplar Eco Town Biodiversity Strategy. Clarification is needed in relation to the number of habitat boxes/ swift bricks and how this fits in with the overall schemes agreement including where these such boxes re located across the Exemplar site. Maximum benefit is gained from swift boxes being built in and this is encouraged.
- 3.6 **Environmental Protection Officer:** Potential issues from the commercial component of the development include: noise from plant or machinery, odours from kitchen extract equipment, noise from deliveries, noise transmission between commercial premises and non-ancillary accommodation, noise from regulated equipment (if the proposed pub or community hall intent to hold events involving live or recorded music. A noise impact assessment would be required to assess the impact of noise from all items of plant, machinery and kitchen extract equipment in the proposed development, including details of appropriate mitigation. The assessment will also need to include the potential breakout of music noise from any premises likely to hold events involving regulated entertainment. An odour assessment will be required of all kitchen extract equipment including details of appropriate odour control equipment. With regard to deliveries, it is recommended that delivery times are restricted to certain hours (7:00 to 23:00 Monday to Saturday and at no time on Sundays, Bank and Public Holidays are suggested).
- 3.7 **Community Services:** Comments made with regard to the proposed internal layout of the community facilities to ensure that the space is workable and to clarify matters in relation to refuse disposal as the facility is at first floor. Clarification is sought in relation to how the solar panels on the community facility will be managed.

#### **Oxfordshire County Council Consultees**

- 3.8 **Highways:** No objections subject to conditions. Key issues raised relate to detailed matters in relation to the quantity and type of cycle parking, concerns over parking provision, concerns over the street layout and materials, the need for tracking information and drainage to be considered. A number of conditions are proposed. Full details of the comments, how they have been sought to be overcome and updated responses are included within the appraisal section of this report.
- 3.9 **Economy and Skills:** No objection.  
Bicester is identified as a key location for employment growth on the Oxfordshire Knowledge Spine through the City Deal and Strategic Economic Plan (SEP). The SEP looks to support significant increases in employment at Bicester through infrastructure improvements and land availability. Bicester Members have expressed concerns about whether the North West Bicester jobs target will be met. Whilst this application does not reduce job numbers, it is disappointing to see a reduction in the number of potentially highly skilled B1 office jobs. The extant permission provides for 90 office jobs whereas the revised proposals reduce this to 37 office jobs. The different is proposed to be made up by an increase in retail, pub/restaurant and nursery jobs.  
A suggested condition is to require the developers to prepare and implement, with local agencies and providers, an Employment and Skills Plan (ESP) that will ensure, as far as possible, that local people have access to training (including apprenticeships) and employment opportunities available at the construction and end user phases of this proposed development.

#### **Other Consultees**

- 3.10 **Thames Water:** No objections with regard to sewerage infrastructure capacity or

water infrastructure capacity. Comments made with regard to surface water drainage, advice is provided in relation to appropriate practices to avoid blockages within the drains or to cause pollution to local watercourses. Advice is also provided in relation to issues of water pressure.

- 3.11 **Environment Agency:** No comments to make as the surface water drainage proposals should be assessed by Oxfordshire County Council as the Lead Local Flood Authority.
- 3.12 **Bioregional:** The Energy Statement has been reviewed and a number of comments are made in relation to the need for clarification of a number of matters including the benchmark figures that have been used as well as some of the conclusions that have been reached.

Bioregional are a charitable organisation who work to promote sustainability to ensure that we live within the natural limits of our one planet. Bioregional are supporting Cherwell District Council in the NW Bicester project as well as A2 Dominion in its role as a major housing provider on the site.

## 4. Relevant National and Local Policy and Guidance

### Development Plan Policy

#### 4.1 Adopted Cherwell Local Plan 2011-2031

PSD1: Presumption in Favour of Sustainable Development  
SLE1: Employment Development  
SLE2: Securing Dynamic Town Centres  
BSC12: Indoor sport, recreation and community facilities  
ESD1: Mitigating and adapting to climate change  
ESD2: Energy Hierarchy and Allowable solutions  
ESD3: Sustainable construction  
ESD4: Decentralised Energy Systems  
ESD5: Renewable Energy  
ESD6: Sustainable flood risk management  
ESD7: Sustainable drainage systems  
ESD8: Water resources  
ESD10: Biodiversity and the natural environment  
ESD15: The Character of the Built and Historic Environment  
Policy Bicester 1: North West Bicester Eco Town  
INF1: Infrastructure

#### 4.2 Adopted Cherwell Local Plan (Saved Policies)

S28: Proposals for small shops and extensions to existing shops outside Banbury, Bicester and Kidlington shopping centre  
C28: Layout, design and external appearance of new development  
C30: Design of new residential development

### Other Material Policy and Guidance

#### 4.3 National Planning Policy Framework (The Framework)

#### 4.4 Planning Practice Guidance

#### 4.5 Eco Towns Supplement to PPS1

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 was been revoked in March 2015.

#### 4.6 **NW Bicester Supplementary Planning Document (Interim)**

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. The SPD is currently an Interim Draft having been considered by the Council's Executive where it was resolved that the SPD should be used on an interim basis for development management purposes.

## 5. **Appraisal**

5.1 The key issues for consideration in this application are:

- Relevant Planning History
- Principle of the development and Employment
- Zero Carbon
- Climate Change Adaptation
- Local Services
- Healthy Lifestyles
- Design
- Landscape and Historic Environment
- Green Infrastructure
- Transport and Highway safety
- Biodiversity
- Water
- Flood Risk and drainage
- Waste
- Master Planning and transition
- Community and Governance
- Pre-application community consultation & engagement
- Conditions and Planning Obligations
- Other matters

#### **Relevant Planning History**

5.2 As set out, the site sits within the wider Exemplar site granted permission under 10/01780/HYBRID. This permission granted full permission for the residential components of the scheme and the energy centre and outline permission for non-residential uses including a local centre. The current application for a local centre is proposed in the area of the site granted outline permission for a local centre to serve the site.

5.3 The reason for the submission being made as a full application rather than a reserved matters application relates to the proposed mix and quantum of uses now proposed that varies from that granted outline permission by 10/01780/HYBRID. The proposed changes have arisen from a review carried out on behalf of the applicant where it was established that changes were required in order to create a viable and vibrant local centre.

5.4 The summary of the variations between that granted permission and that now proposed is set out below:

<b>Extant Permission Uses</b>	<b>Extant Permission (Gross External Area)</b>	<b>Proposed Uses</b>	<b>Proposed (Gross External Area)</b>
Nursery (Use Class D1)	350sqm	Nursery (Use Class D1)	869sqm
Community Hall (Use Class D1)	350sqm	Community Hall (Use Class D1)	523sqm
Retail Convenience Store (Use Class A1)	595sqm	Retail Convenience Store (Use Class A1)	503sqm
Other Retail (Use Classes A1)	175sqm	Other Retail (Use Classes A1, A3, A5)	444sqm
Pub (Use Class A4)	190sqm	Pub (Use Class A4) and Pub/ restaurant	664sqm
Commercial (Use Class B1)	1,100sqm	Commercial (Use Class B1)	614sqm
<b>Total (GEA)</b>	<b>2760sqm</b>		<b>3617sqm</b>

- 5.5 As part of the outline approval for the Exemplar Local Centre, an area of land was set aside for an Eco Business Centre. This was secured through the S106 with the Eco Business Centre site transferred as serviced land to the District Council to deliver the proposed business centre development. Currently work is on-going in relation to this project therefore this site sits outside the current red line area for the rest of the Local Centre for the Exemplar.
- 5.6 As explained, application 10/01780/HYBRID was accompanied by an Environmental Statement. The current application has been further screened and it has been determined that it does not require an EIA. However this site is an integral part of the wider site and so an 'Environmental Compliance Report' has been submitted, which provides an update in relation to various environmental issues as previously assessed in the EIA. The overall conclusion is generally that there would be no significant change in environmental terms between that previously approved and that proposed as part of this application. Each section will be further considered through this appraisal.
- 5.7 A number of applications have been made for development across the wider North West Bicester site as follows:

14/01384/OUT – OUTLINE - 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.

This application benefits from a resolution to grant planning permission subject to the completion of a S106 legal agreement. This resolution was made at Planning Committee in March 2015.

14/01641/OUT - 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

This application also benefits from a resolution to grant planning permission subject to the completion of a S106 legal agreement. This resolution was made at Planning Committee in October 2015.

14/01675/OUT – 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.

14/01968/F – 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.

14/02121/OUT – 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).

It is anticipated that these 3 applications above will be reported to Committee over the coming three cycles.

### **Principle of the development and Employment**

5.8 Section 38 (6) 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'.

5.9 The Development Plan for the area is the Adopted Cherwell Local Plan 2011-2031, which was adopted in July 2015 and the saved policies of the Adopted Cherwell Local Plan 1996.

5.10 The newly Adopted Cherwell Local Plan 2011-2031 includes Strategic Allocation Policy Bicester 1, which identifies land at NW Bicester for a new zero carbon mixed use development including 6,000 homes and a range of supporting infrastructure and employment land. The current application site forms part of the strategic allocation in the local plan.

5.11 The Local Plan makes it clear that there is an aim to support sustainable economic

growth and Policy SLE1 requires employment proposals on allocated sites to meet the relevant site specific policy. At North West Bicester, and in line with the Eco Towns PPS, Policy Bicester 1 requires the submission of an Economic Strategy to show how access to work will be achieved and to deliver a minimum of one employment opportunity per new dwelling that is easily reached by walking, cycling or public transport.

- 5.12 Specifically in relation to the provision of retail uses, Policy SLE 2 of the Local Plan seeks to secure dynamic town centres by focussing retail and other main town centre uses towards the town centres of Banbury and Bicester, however it allows for the provision of new local centres containing a small number of shops of a limited size within the housing allocations on strategic sites within the Plan. Policy Bicester 1 identifies that there is a need for mixed use local centre hubs across the site to include employment (in the uses B1(a), A1, A2, A3, A4, A5, C1, D1 and D2).
- 5.13 Saved Policy S28 of the Adopted Cherwell Local Plan 1996 advises that favourable consideration will be given to proposals for small shops or extensions to existing shops required to serve local needs.
- 5.14 The Framework includes the presumption in favour of sustainable development and explains the three dimensions to sustainable development being, it's economic, social and environmental roles. It encourages sustainable economic development to deliver the homes, business and thriving local places that the Country needs (para 17) and it seeks to promote healthy communities by ensuring that planning decisions 'plan positively for the provision and use of shared space, community facilities (such as local shops, meeting places, sports venues, cultural buildings, public houses and places of worship) and other local services to enhance the sustainability of communities and residential environments' (para 70). It is considered therefore that national policy is supportive of local service provision and that this has a role in making new developments and communities sustainable places.
- 5.15 The North West Bicester Supplementary Planning Document Interim Draft (Interim SPD) includes a Masterplan produced by A2Dominion and this has formed the basis of the SPD. The Masterplan covers the whole of the site allocated for up to 6000 dwellings at North West Bicester and distributes land uses across the site, including local centres, one of which being that within the Exemplar site. Development Principle 5 within the Interim Draft SPD reflects Policy Bicester 1 in relation to the 'Employment' requirements for the wider site recognising both on site and off site opportunities. It identifies that across the wider site, an estimated 1,000 jobs could be provided within the local centres within the range of uses therein. It is also noted that development proposals should address the vitality of the local centres and should also support the growth of the low carbon environmental goods and services sector and encourage sustainable lifestyles.
- 5.16 As explained, the principle of a local centre on the application site has been established by way of the grant of outline permission for a local centre on the same site as now proposed and this also complies with the Masterplan in this area. Furthermore, there is support in planning policy for local service provision, including the contribution that this would make towards job provision. The development of a local centre on this land would contribute towards providing a local service for the future residents of the Exemplar and the wider site at North West Bicester and would contribute to the achievement of the targets set for the Eco Town in respect of job creation as well as being accessible to residents of the site. The Exemplar local centre would also work alongside the other local centres across the Master plan site to provide a wide range of retail and facilities to support the residents on site and reduce journeys away from the development.
- 5.17 Notwithstanding this, it is important to consider the differences between the scope of



the outline permission granted by 10/01780/HYBRID and that now proposed. It is clear from the information set out at paragraph 5.4 that the quantum and mix of uses has increased and that B1 uses have reduced in terms of the provision within this local centre compared to what was approved through the outline site and as some of these uses represent main town centre uses, it is important to consider whether this increased scale is appropriate.

- 5.18 The application has been submitted with a Business Case, which explains why the changes to the quantum and mix have been made based upon a review of the approved scheme and taking into account what is required to fulfil the centres function and market demand. The current scheme has been prepared with reference to the overriding principles or being part of an eco-development, aspects of conventional local centres and after consultation with potential anchor occupiers. The consultation and design process has highlighted two challenges the first being that this is at the beginning of the development process with the consequent time delay for the build-up of the catchment population and secondly that this must embrace the unique characteristics of being within the eco settlement, particularly around limited car usage and parking.
- 5.19 The changes made to the Children's nursery have arisen following discussions with local and national operators and based on the projected catchment size, it is considered that a nursery of 869sqm with capacity to provide places for 90+ children from early years (3 months) to 4 years of age is more suitable. The convenience store has reduced in size slightly to 503sqm and would be a typical rectangular floor shell. This unit would anchor the local centre and so there has been some early consultation with a number of operators. There are five retail units proposed, each of between 81-106sqm (giving a proposed total of 444sqm) for A1/A3/A5 uses and this number and flexibility of uses is expected to provide for the demand and to compliment the anchor convenience store. In relation to the pub, the proposal results in a significant increase in floor space to 664sqm (for a pub and pub/restaurant) and this has resulted from initial consultations with regional and national operators regarding the provision of food and drink establishments on NW Bicester generally. The office space has reduced to 614sqm which is additional office space to that to be provided within the Eco Business Centre. The reduction in the provision of the office space has resulted from a recognition that the function and identity of the Exemplar Local Centre is as a service centre for the NW Bicester development rather than a recognised office environment in its own right serving the Bicester area. The provision has been reduced to sustain the demand for the B1 and D1 uses with potential for a ground floor A2 use (e.g. an estate agency). The Business Case emphasises that the current scheme has evolved through design work and following initial consultation with future occupiers. The fundamental change is that this proposal sees a greater floor area for retail, nursery and pub and substantially less office space.
- 5.20 In addition, the applicant has submitted a retail assessment to consider the impact of the proposed quantum and mix of uses still further. This considers the requirements of The Framework in relation to 'Ensuring the Vitality of Town Centres' (section 2) which seeks to maintain the viability and vitality of the town centres. The assessment considers that given the scale of the proposed retail provision on the site, that this would not compete with Bicester Town Centre to any substantial degree as given the nature and scale of floor space proposed, residents of the development would still look to the Town Centre for the majority of their retail and service needs. The assessment finds that the proposed development is of an appropriate scale and can be supported by the residents of the proposed development serving their local needs and support its overall sustainability objectives. It also notes that the new residents will support and add to the population served by the Town Centre.
- 5.21 Policy Bicester 1 requires the submission of an economic strategy to be produced to support the planning applications for eco town proposals demonstrating how access

to work will be achieved and to deliver a minimum of one employment opportunity per new dwelling that is easily reached by walking, cycling or public transport. This requirement is also within the PPS Supplement and the Interim Draft SPD. The strategy should show consistency with the Masterplan Economic Strategy, which identifies 4,600 job opportunities on the site as a whole and it sets out the scale, type and location of jobs related to NW Bicester and an action plan. It considers around 1,000 jobs could be provided in the local centres comprising offices, retail/leisure, health facilities, community halls and community facilities possibly nurseries, care and extra care homes and a hotel. The local centres should also support the growth of the low carbon environmental goods and services sector.

- 5.22 The application is accompanied by an Economic Development Statement, which provides a summary of the changes to the provision for jobs contained in the 2011 Economic Strategy which supported the quantum and mix of uses approved by the Exemplar scheme. The Economic Strategy for the original Exemplar scheme explained how it will generate 430 new jobs, which included 320 permanent jobs created on site, in addition to construction jobs during the development phase and off site jobs generated mainly by additional demand from the new residents on the Exemplar. The change in the quantum of different uses in the local centre has been assessed and it is expected that the local centre will generate 433 new jobs, including 323 permanent jobs on site in addition to construction jobs and off site jobs. It is important to note that the number of jobs assumed to be provided in the Eco Business Centre remains the same as expected when the Exemplar was considered – but this is outside of the current application site area.
- 5.23 Oxfordshire County Council (Economy and Skills) have considered the change in quantum and mix of provision within the local centre and have expressed disappointment that the proposal sees a reduction in the number of potentially highly skilled B1 office jobs (from 90 to 37) with the increase in retail, pub/restaurant and nursery jobs and they emphasise that Bicester is identified as a key location for employment growth. OCC requests the provision of an Employment and Skills Plan to ensure that local people have access to training (including apprenticeships) and employment opportunities.
- 5.24 In the view of Officers, the proposed change to the quantum and mix of the proposed local centre is acceptable and that it will continue to serve its function as a supporting service that will meet local needs. This takes into account the size and number of the proposed retail units as well as taking into account that the local centre will serve a wider area than only the Exemplar now that a resolution to approve application 14/01384/F for land North of the Railway has been made. The reduction in the provision of B1 is considered acceptable albeit the concerns raised are noted. The conclusion set out within the Applicant's Business Case detailing that the Local Centre areas are predominantly as a service centre than a recognised office environment is noted and it is now possible to appreciate the areas across the site which are set aside for business use within the Masterplan, which was not available at the time that the Exemplar was considered. It is therefore considered that the proposed quantum and mix of uses is appropriate and acceptable, will support the new community and allow the centre to be a vibrant area supporting the sustainable nature of the site.
- 5.25 The layout of uses and the size of the units across the local centre is considered to be acceptable. Whilst the community centre is at first floor, the principle of this was accepted via the HYBRID application and no objections have been received from the Council's Community Services team (other than in relation to the layout of the centre which will be addressed later). The applicant seeks some flexibility in the use of the units. It is common for Local Centres to provide a mix of uses including retail, small business units, restaurant/ cafes and takeaways. It is therefore considered to be acceptable to allow such flexibility, however conditions are recommended to secure

the range of uses proposed for each unit to ensure that the local centre retains its ability to provide the range of local services to support the community.

### **Zero Carbon**

- 5.26 The Eco Towns PPS at standard ET7 states;  
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.

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.

- 5.27 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 '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.'

- 5.28 The ACLP 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 ESD3 seeks all new residential development to achieve zero carbon and for strategic sites to provide contributions to carbon emission reductions Policy ESD4 encourages the use of decentralised energy systems and ESD5 encourages renewable energy development provided that there is no unacceptable adverse impact.

- 5.29 The application is accompanied by an energy strategy that sets out how the development will achieve zero carbon development through predominantly on site technology and draws on that considered and approved by the Exemplar Phase as a whole. As part of the Exemplar and adjacent to the Local Centre is an Energy Centre, which has been designed to power the Exemplar Phase site wide district heating network from a primary gas combined heat and power (CHP) engine with top up gas boilers and appropriately sized thermal stores. This is combined with enhanced fabric energy efficiency standards and roof mounted PV. This option allowed the true zero carbon requirement to be achieved, entirely on site. This option is however the appropriate treatment for the Exemplar site as a whole and that all areas should be considered collectively relative to meeting the target. The local centre element of the Exemplar may not meet, independently, the target as this has elevated levels of energy demand and a reduced potential for mitigation through renewable technologies. The Energy Statement has assessed the potential energy demand and emissions using standard benchmarks however due to there not being confirmed occupiers, there is still some uncertainty in relation to the energy needs of the future occupants of these non-domestic buildings. The Statement outlines the Be Lean (use less energy), Be Clean (supply energy efficiently) and Be Green (use renewable energy systems) approach which is to be followed. This involves adopting appropriate future proofed building standards to ensure energy efficiency by way of a range of measures, incorporating high performance building fabric, air tightness, the use of natural ventilation (with limited mechanical ventilation), the optimisation of daylight to reduce the electrical energy use for artificial lighting (and where artificial lighting is

needed to choose options that offer the best balance of performance and efficiency) and to monitor energy use effectively. Following the incorporation of these areas, the 'Be Clean and Be Green' standards of onsite low carbon and renewable energy technologies should be used. The preferred approach will follow that established for the Exemplar scheme as set out above. Roof mounted PV is proposed to the local centre and additionally to be incorporated on a canopy over part of the northern car park area and the total requirement is calculated within the Energy Strategy. Whilst the incorporation of PV will make a contribution to the reduction of carbon emissions, there will be residual carbon emissions that would need to be mitigated by carbon savings elsewhere on the site. This shortfall was also noted on the outline approval that supported the Exemplar scheme. This will therefore fall short of achieving the true zero carbon target for the Exemplar when considered in isolation, however it is considered that this can be mitigated through additional savings elsewhere on the North West Bicester site.

- 5.30 Advice has been received from Bioregional in relation to some of the specific figures given, the benchmarks used through the report and how certain conclusions had been reached. The applicants submitted a response and this has been reviewed, and the advice is that generally the conclusions reached in relation to baseline demand and associated carbon emissions appear to be accurate. The PV calculations are also now confirmed to be correct now that information has been provided on the mix between roof based and canopy based panels.
- 5.31 Based on the above and the comments from Bioregional, it is considered that the proposal contributes to the requirement to meet zero carbon as far as it possibly can by way of the incorporation of as much PV as possible and that it will generally align and be part of the wider energy strategy that is being utilised across the rest of the Exemplar site. As this proposal does fall short of meeting the carbon emissions required for this particular area, it does have the potential to have a knock on effect in terms of whether the Exemplar can meet the zero carbon requirements. The Exemplar proposal included planning condition 4 which required details of how zero carbon energy use could be met through on site solutions and where this identified that this would not be possible on site, then a scheme for offsite mitigation in Bicester should be provided. It is considered necessary for a similar planning condition or note to be recommended pursuant to the current scheme to ensure that this shortfall is picked up and to allow the Exemplar as a whole to meet the zero carbon requirements.

### **Climate Change**

- 5.32 The Eco Towns PPS at ET8 advises;  
*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.*
- 5.33 ACLP 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 overheating.
- 5.34 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.

- 5.35 Whilst the proposal is for commercial development, a consideration of daylighting and overheating issues has been taken into account in the design of the building as far as possible taking into account that the future occupiers requirements and potential ventilation strategies cannot yet be known. The design of the elevations has considered daylighting and overheating factors in the proposed positioning of windows and proportion of openings to solid walls. An overall balance of windows to solid walls, typically of under 40% and shallow depths of rooms from windows generally allows the internal designs to meet the required standards. The ground floor units are largely retail and typically provide large areas of shop front glazing. This would provide flexibility for appropriate daylight and overheating is proposed to be mitigated by self-shading from the upper floor projecting over the openings on the south facing arcade, adjacent buildings on the east and on west facing windows, external blinds can be used for shading. At first floor level, the overall balance of windows to solid walls and shallow depth of rooms creates a good balance and additional rooflights are provided where rooms have greater room depths. The windows are of generous height to provide a vertical scale and unify the elevations across each unit and to provide good daylight. Windows also have the ability to introduce obscure or tinted glass at high level through the subdivided windows, without needing to change the elevation openings and window proportions. It is considered that the proposal has appropriately taken into account future climate change issues and that the design has evolved from a consideration of ensuring that this area of the site is resilient to future climate change impacts.

#### **Local Services**

- 5.36 The PPS identifies the importance of providing services that contribute to the wellbeing, 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 ACLP 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 and BSC 12 seeks indoor sport, recreation and community facilities.
- 5.37 The proposal seeks to provide a local centre which will represent a local facility including retail, business, a community facility and services such as a pub and nursery for the residents of the site and which will contribute to the achievement of making sure that services are available for the community. In particular respect to the community centre, amendments have been secured to the layout of the community facility internally in line with advice from the Council's Community Development Team so that it functions in the way it is to be used. Further amendments resulting from the last comments and confirmation that this is an acceptable layout is awaited at the time of writing this report. This facility, alongside the wider facilities to be provided on the site will ensure that local services are provided to support the community.

#### **Healthy Lifestyles**

- 5.38 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 ACLP identifies the need for a 7 GP surgery which is supported by information provided by NHS England. The Interim Draft SPD includes 'Development Principle 7 – Healthy Lifestyles', which requires health and wellbeing to be considered in the design of proposals. Facilities should be provided which contribute to the wellbeing, enjoyment and health of people, the design of the development should be considered as to how it will deliver healthy neighbourhoods and promote healthy lifestyles through active travel and sustainability. The green spaces should provide the opportunity for healthy lifestyles including attractive areas for sport and recreation as well as local food production.

- 5.39 The proposal provides local services for the benefit of the community in a location that is relatively central to the Exemplar site and which will also be accessible to the wider community once other areas of the site begin to be developed. The site follows the HYBRID application in terms of green space provision i.e. the redesign of the local centre does not change that over 40% of the Exemplar as a whole is to be provided as Green Infrastructure. Furthermore, a significant number of cycle parking spaces are provided, including within very accessible locations (which will be discussed below), which will provide the necessary facilities to encourage sustainable modes of transport.

#### **Design**

- 5.40 The NPPF makes it clear that good design is a key aspect of sustainable development. It states that Local Planning Authorities must aim to ensure that developments establish a strong sense of place, to function well and add to the overall quality of the area and to respond to local character and history. At the local level, saved policy C28 of the Adopted Cherwell Local Plan 1996 states that 'control will be exercised over all new development, including conversions and extensions to ensure that the standards of layout, design and external appearance, including choice of materials are sympathetic to the character of the urban or rural context of that development'. Policy ESD15 of the Adopted Cherwell Local Plan 2011-2031 advises that design standards for new development whether housing or commercial development are equally important, and seeks to provide a framework for considering the quality of built development and to ensure that we achieve locally distinctive design which reflects and respects the urban or rural landscape and built context within which it sits. 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.
- 5.41 The HYBRID application granted outline approval for a local centre on this land and the Design and Access Statement included indicative proposals for what this could consist of. This suggested a continuous arcade type arrangement with feature corner buildings and set slightly back to give footways that are useable spaces. The DAS provides a potential palette of materials and considers how the design could be approached including a traditional and contemporary approach.
- 5.42 Whilst the current application is made for full planning permission, the overall context of the site remains as that set out to support the HYBRID application and so the design approach has evolved from a consideration of that information. The buildings take a largely contemporary approach with predominantly a flat roof, parapets and feature three storey 'bookends' at each of the buildings proposed. In the view of Officers, the design approach taken is acceptable.

- 5.43 The detailed design has been amended through the negotiation of the application to take into account Officer comments. The proposed community hall is at first floor and the original proposal sought to provide a pitched roof over this element. This sat at odds with the rest of the local centre, which includes predominantly a flat roof with parapet. A study was undertaken to look at options and the preferred approach was to retain the pitched roof but to include a parapet wall. In the view of Officers this is an acceptable compromise as this addresses the awkward roof line seen from the road but retains the ability to allow for a quality internal space for the community hall with a higher ceiling and the ability to include roof lights to provide daylight. The roof line of the building otherwise remains consistent (other than the three storey wings) despite the land level stepping. The justification for this is to allow a consistent internal floor level and overall it is not considered that this would be harmful in design terms. The proposal seeks to introduce a brick contrast detail to the book end features to provide some interest there. This was proposed as a textured detail, which Officers were not convinced would work particularly well. A study was also undertaken to look at options and Officers considered that a textured brick pattern with recessed bricks was the most suitable option being the most subtle change to the brick work but still providing a degree of interest. Amended plans have reflected this advice.
- 5.44 Taking into account these amendments, it is considered that the buildings themselves are acceptable in design and visual impact terms. The plans indicate how advertisements can be accommodated for the proposed units and the DAS considers how ventilation and extraction could be accommodated. In terms of ventilation, vent shafts are indicated which would be extracted at roof level and where the parapet detail would provide a visual screen for any upstands from any equipment. The specific detail of any future ventilation/ extraction equipment would be the subject of a planning condition which would seek full technical details. In terms of materials, the proposal is for a beakstone for the lower element of the building which would reflect that currently being used on some of the residential units, with a buff brick used elsewhere and with frames provided in a reconstituted stone. The soffit and internal walls of the arcade would be a render in a reconstituted stone colour. The materials palette chosen is generally considered to be acceptable in principle and conditions can be used to seek options for the materials. The nursery and pub buildings would be adjacent to the river corridor and would require retaining, details of which can be requested by way of a planning condition.
- 5.45 The plans also provide an indicative design for the Eco Business Centre and how this could be accommodated taking into account the design for the rest of the local centre. This is outside the red line area for the current application.
- 5.46 The external space is generally hard landscaped with a block paving proposed (albeit this will need later agreement as discussed in the highway section at paragraph X). Relatively wide footways are provided and within this area four trees are proposed, along with benches, the necessary lighting columns and a bus stop as well as cycle parking provision. The external space has had to also take into account the technical highway requirements such as the need for large vehicles to be able to enter/ exit the servicing areas. It is considered that the external layout of the local centre will contribute towards it being an active place that will be attractive and compliment the range of uses within the local centre.

#### **Landscape and Historic Environment**

- 5.47 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. Adopted Cherwell Local Plan 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. Policy ESD13 advises that development will be expected to respect and enhance the local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided.

5.48 The ES Compliance Statement considers the overall impact of the local centre and concludes that the location, scale and massing of the proposal would be comparable with that considered and approved in outline through 10/01780/HYBRID and that no additional harm would be caused either in landscape impact terms or to the historic environment, including nearby listed buildings. The design of the building has been considered taking into account that previously considered (as discussed) as well as aiming to respond to the local vernacular and respecting the local landscape character.

5.49 In relation to the landscaping proposals for this site, there have been a number of comments received from the Council's Landscape and Arboricultural Officers in relation to the tree species along the main street and the proposals for the perimeter planting and it is considered that these can be requested via the imposition of conditions. The comments in relation to the planting within the parking area are noted, however this will not be possible to be accommodated due to the canopy proposed, which is required in relation to the provision of PV. This area is to the rear of the arcade of shops and so this is acceptable in the view of Officers. The proposal also includes some intermittent planting between the solar panels on the roof of the local centre, however otherwise the landscaping proposed is generally hard in nature. Providing this is carefully designed, it is considered that this could represent a quality environment within this busy local service provision. It is therefore considered that the proposal is acceptable in landscape terms overall and that the policies outlined above are complied with.

#### **Green Infrastructure**

5.50 The PPS requires the provision of forty per cent of the eco-town's total area should be allocated to green space, of which at least half should be public and consist of a network of well-managed, high quality green/open spaces which are linked to the wider countryside. Adopted Cherwell Local Plan Policy BSC11 sets out the minimum standards that developments are expected to meet and it sets out standards for general green space, play space, formal sport and allotments. Furthermore, site specific, Policy Bicester 1 requires the provision of 40% of the total gross site area to comprise green space, of which at least half will be publicly accessible and consist of a network of well-managed, high quality green/ open spaces which are linked to the countryside. It specifies that this should include sports pitches, parks and recreation areas, play spaces, allotments, the required burial ground and SUDs.

5.51 The Exemplar as a whole provides over 40% Green Infrastructure in a range of forms including public open space, the stream corridor, allotment provision and hedgerow lanes. The proposed Local Centre does not change the level of Green Infrastructure provision (other than the loss of the swales through this area) and continues to provide protection to the hedgerow to the south which is currently being protected as well as a 3m buffer. This hedgerow buffer is to be enhanced and other landscape features are to also be included. It is therefore considered that the provision of Green Infrastructure continues to be provided and that the proposal complies with the above mentioned policy requirements.

#### **Transport and Highway Safety**



- 5.52 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. The PPS seeks homes within 10 mins walk of frequent public transport and local services. The PPS recognises the need for travel planning to achieve the ambitious target of showing how the town's design will enable at least 50 per cent of trips originating in the development to be made by non-car means, with the potential for this to increase over time to at least 60 per cent.
- 5.53 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 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 use that limit the need to travel are identified (para 37 & 38). It also advises that account should be taken of improvements that can be undertaken within the transport network that cost effectively limit the significant impacts of the development and that development should only be prevented or refused on transport grounds where the residual cumulative impacts of development are severe (para 32).
- 5.54 Policy Bicester 1 relates to the NW Bicester site and requires proposals to include appropriate crossings of the railway line, changes and improvements to Howes Lane and Lords Lane, integration and connectivity between new and existing communities, maximise walkable neighbourhoods, provide a legible hierarchy of routes, have a layout that encourages modal shift, infrastructure to support sustainable modes, accessibility to public transport, provide contributions to improvements to the surrounding road networks, provision of a transport assessment and measures to prevent vehicular traffic adversely affecting surrounding communities.
- 5.55 The application is supported by a Transport Assessment, which considers the proposal alongside that prepared for the Exemplar and 14/01384/OUT (Land North of the Railway Line) and takes into account the amended quantum and mix of uses within the local centre. This takes into account that the reduction in the currently approved B use class employment opportunities could result in an increase in out commuting from Bicester reducing the potential sustainability benefits and that the increases in size of the nursery and pub could attract users from outside the development and potentially beyond Bicester. The TA generally finds that the traffic generation associated with the consented land use and the proposed land use finds a reduction in peak hour trips based on trip generation rates per floor area used in the assessment of the HYBRID planning application. This takes into account the context of the development being wider than just the Exemplar now. The Exemplar proposal assessed traffic impacts and proposed mitigation that has been accommodated and the change in the proposal for the local centre does not suggest any further mitigation is required. In relation to the comments in relation to the reduction in the B use class employment opportunities, this is noted, however the wider site does provide these opportunities and the Exemplar should now be assessed in line with the wider Masterplan for NW Bicester.
- 5.56 The proposal for the local centre includes car parking and proposes 80 spaces in total – 34 for the public, 23 for the Eco Business Centre and 23 for staff. The spaces would be provided to the rear of the arcades with staff parking predominantly to the rear of the south arcade and public parking to the north with one disabled space proposed on the street. The numbers proposed are below the maximum parking standards and the Highway Authority express concern that this would not be adequate with the potential for all day staff parking to spill into the public parking spaces or into nearby

residential areas. The TA argues that the various uses do not generate demand at the same time and that a strict parking management regime would be needed to ensure that staff parking does not occur in public spaces or nearby residential areas.

- 5.57 Whilst it is recognised that vehicles will be used and that sufficient arrangements are required for them, the site is to be designed to support sustainable travel by way of walking and cycling routes and with regular bus services that will, in the short term, run through the Exemplar local centre. As the TA explains, there is a need to provide a balance in relation to car parking that meets the needs but does not unduly encourage car use and in these terms, the provision of infrastructure to support the use of sustainable modes of transport is important. A total of 154 cycle parking spaces are proposed including for staff and the public both covered (in secure racking type stores) and Sheffield stands in the street and the provision has been amended in line with the Highway Authority advice. Information in relation to the specification of the arrangements to ensure there is adequate space in and around the racking and whether space for trailers is provided has been requested and provided. A large proportion of these would be highly accessible and prominent and therefore would provide encouragement and the ability for users of the site to genuinely use sustainable modes of transport to reach this local service provision.
- 5.58 In terms of detailed matters, the Exemplar site has an approved S38 agreement for the main road through the site. The proposal for the local centre seeks a different material and layout for this area compared to what has been approved through the S38. This includes the use of block paving for both the paving and the carriageway and the introduction of features such as trees, benches and the cycle parking. The Highway Authority has expressed some concerns in relation to what could be accepted via a new S38 agreement. In relation to this point, it is considered that a condition is required to agree the final surface treatment following the approval of the application. In particular the currently proposed 'York' Stone for the vehicular highway would not be acceptable to the Highway Authority within an area to be adopted. The layout of the local centre area has been assessed by the Highway Authority through the consideration of this application and any concerns have been picked up. These concerns include the need for tracking to be provided and the design of the road and pavements to ensure that adequate access is provided to the servicing areas for large vehicles, the size of the servicing and disabled bays, the need for kerbs to be provided and identified and the need for pedestrian crossing points to be either very clearly differentiated or not marked on the carriageway at all. The Highway Authority request details of the bus stop infrastructure and detail in relation to how the bus stopping area as a whole works to ensure there is a clear walking route from the bus to the retail facilities. Amendments have been received to address these points and advice from the Highway Authority as to whether these are acceptable is awaited at the time of writing this report. Any further changes that may be required following a review through the S38 process would need to be separately agreed with the Local Planning Authority.
- 5.59 A travel plan exists and is approved for the Exemplar site as a whole. This is intended to be followed by individual travel plans for each of the uses at the local centre once the occupier is known. The developer does not propose to update the framework travel plan, however the Highway Authority consider that this is necessary as it contains specific matters including parking and cycle parking figures and provides the framework for future travel planning.
- 5.60 Overall it is considered that the proposal would not raise significant highway safety concerns over and above that considered through the HYBRID application taking into account the advanced stage that the Masterplan and proposals for North West Bicester are meeting. The proposal promotes sustainable transport measures and encourages modal shift. It is considered that the proposal is acceptable in transport and highway safety terms. Detailed matters can be dealt with through the imposition

of conditions including the requirement for a Parking Management Plan and for the travel plan to be updated.

### **Biodiversity**

- 5.61 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 ACLP 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.
- 5.62 Ecology surveys were undertaken as part of the Exemplar scheme and the appropriate mitigation were included. The site currently forms part of a construction site and it is therefore concluded that it is of negligible nature conservation value albeit there is a species rich hedgerow and a 3m wide buffer of vegetation which are currently being provided and protected. The main issue to consider in this proposal therefore is biodiversity mitigation and how this contributes to net gain. The Exemplar scheme as a whole provides net biodiversity gain in a variety of ways and as this site is integral to that wider site, it is considered necessary to review this proposal in line with the wider Exemplar site proposals. However, in relation to this particular site, there is a hedgerow being reinforced as well as green roofs being provided around the solar panels and rooftop features such as beehives and invertebrate hotels. Furthermore bird nesting and bat bricks/ boxes are to be incorporated into the design of the buildings facing the river corridor which are additional to those sought through the rest of the Exemplar scheme and so contribute to the required net gain in biodiversity. The scheme is therefore considered to be acceptable in this regard.

### **Water**

- 5.63 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;
- 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
  - b) new homes will be equipped to meet the water consumption requirement of Level 5 of the Code for Sustainable Homes; and
  - c) new non-domestic buildings will be equipped to meet similar high standards of water efficiency with respect to their domestic water use.
- 5.64 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 ACLP 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.
- 5.65 The current proposal is not accompanied by a separate Water Cycle Study, however the Exemplar proposal was and the Masterplan is also accompanied by a Water Strategy. The Exemplar includes proposals for rainwater harvesting and water

efficient appliances for all residential properties to reduce water use as well as the incorporation of SUDs. It is further noted that to reach BREEAM Excellent (which is set out as a planning condition), it is a requirement that high water efficiency standards are met and the applicant has set out their commitment to aspiring to water neutrality within their planning statement. It is recommended that a planning condition require the submission of further details to demonstrate how this proposal will contribute towards the requirement to reach water neutrality.

### **Flood Risk and drainage**

5.66 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 ACLP 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.

5.67 As part of the Exemplar scheme, a flood risk assessment and drainage strategy were undertaken and following this further detailed assessments were undertaken in order to discharge relevant conditions. The drainage scheme included a number of features through the site including permeable paving, swales and infiltration blankets. Swales were proposed, and are shown within the approved S38 drawing, through the Local Centre area. As part of the current application, an updated FRA and drainage strategy have been provided. All development on the site is within Flood Zone 1 with limited risk from flooding including taking into account the potential impacts of climate change. The drainage strategy provides for a scheme that will ensure that any increased peak surface water run off caused by the development can be attenuated to Green field rates and the scheme remains aligned with the overall drainage strategy but is proposed to be amended following refinement taking into account the design work carried out for the local centre. The revised scheme removes the proposed swales as the space available for them has reduced taking into account the detailed design and so the scheme proposes positive drainage via road gullies with oversized pipes underground to provide the necessary storage to attenuate the design event. This would sit alongside the green roof elements, permeable and impermeable areas which would be routed into an infiltration blanket. The Lead Local Flood Authority (OCC) have advised that the drainage scheme appears to be sufficient but that there may be a need for some final alterations at the detailed consideration stage. The foul water infrastructure scheme has been agreed with Thames Water through the Exemplar scheme and Thames Water raises no objections to the current proposal. Final comments are still awaited from OCC and an update provided in relation to this matter if necessary. It is therefore considered that the proposal will be acceptable in Flood Risk terms and that the amended drainage strategy is generally acceptable in its nature.

### **Waste**

5.68 The Eco Towns PPS advises that applications should include a sustainable waste and resources plan which should set targets 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;

- 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

- 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
- ensuring that their collections of household and similar waste are organised so as to help towards achieving the higher levels of the waste hierarchy

5.69 The application is accompanied by a Sustainable Waste Management Plan and Sustainable Waste and Resources Plan, which set targets for recycling and residual waste as follows:

- For the percentage recycled / composted / reused: 70% from initial occupation and 80% by 2025
- For residual waste levels: 300 kg per household per year from initial occupation and 200kg per household per year by 2025

The local centre forms the location for the recycling banks which are proposed to the rear of the southern parade and furthermore, the document will be used to estimate waste levels from the businesses to enable future decisions in relation to the number and type of waste containers and storage arrangements to be made. The plan does however propose waste to be provided to the rear of the units and so discreetly positioned generally. A Site Waste Management for the Exemplar site has been approved and as part of the current application, a draft plan has been prepared in relation to the scheme which would be updated following detailed review. A planning condition was applied to the Exemplar permission 10/01780/HYBRID which required a finalised Site Waste Management Plan demonstrating how zero construction waste would be sent to landfill and it is recommended that a condition relating to this matter is again imposed.

#### **Masterplanning/ Transition**

5.70 The PPS requires the submission of a masterplan to ensure comprehensive development. As discussed a masterplan has been submitted and is to be incorporated into a SPD, which is currently an interim draft but for use for Development Management purposes. As discussed earlier, the site for this local centre aligns with the Masterplan requirements and is in line with the outline approval established through 10/01780/HYBRID. The proposal is acceptable in this regard. In relation to transition, this relates to the timing of the delivery of services and facilities, the support and information to be provided to residents and how carbon emissions through the construction process will be reduced. The scheme forms part of the Exemplar scheme and it is proposed that this scheme must be linked to the S106 and the legal obligations set out for that proposal. This will ensure that services and facilities are provided in the expected way. The limiting of carbon from construction has been addressed through the work so far completed 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). This will continue to apply to the Local Centre.

#### **Community Governance**

5.71 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. ACLP Policy Bicester 1 requires the submission of proposals to support the setting up of a financially viable local management organisation.

- 5.72 The Exemplar scheme as a whole has established the principle of a Local Management Organisation and work has been ongoing to form this body through requirements set out in the Exemplar S106 agreement. As this proposal would be linked to the Exemplar S106, the obligations relating to the LMO and Community Governance would continue to apply.

#### **Pre-application community consultation & engagement**

- 5.73 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 applicant has undertaken consultation and engagement in relation to the wider site including the Exemplar, the Masterplan process and the subsequent applications for the wider site (submitted by A2Dominion). As the current proposal sees to make relatively minor amendments to the scheme, no additional consultation has been undertaken, however details of previous consultation have been provided. The current proposal is generally consistent with the masterplan, the emerging local plan and the SPD and so this is acceptable.

#### **Conditions and Planning Obligations**

- 5.74 The wider Exemplar Site (10/01780/HYBRID) is subject to a S106 agreement relating to securing various mitigation and infrastructure necessary to make the development acceptable. The S106 includes obligations specifically relevant to this proposal relating to the non-residential retail, office, nursery, community hall, public house, eco business centre site and in relation to employment, skills and training. It is important that the applicant continues to be bound by such clauses alongside the wider site obligations and therefore it is considered necessary for the existing S106 to be linked to the current application.
- 5.75 Oxfordshire County Council requests an Employment and Skills Plan to support this application. As part of the Exemplar, an Employment and Skills Plan has been approved and this alongside the Economic Development Strategy already submitted addresses the matters that an employment and skills plan would usually cover. In respect to end users, developers have little scope to influence what occupiers of the units do or do not do in relation to their employment practices. Therefore it is considered that the approved plan is sufficient and that by linking the current scheme to the current S106 the current application will be bound by the same requirements.
- 5.76 It is considered that a series of conditions are required in relation to detailed matters that have been considered through this appraisal and to re-impose any necessary conditions that were included within the decision notice for the Exemplar application 10/01780/HYBRID.

#### **Other matters**

- 5.77 The Environmental Compliance Statement considers other matters discussed below:  
Air quality  
The proposed design of the local centre has taken into account the constraint of the energy centre and the potential emissions this may make. Further, the amendments to the car parking provision are considered to have raised no materially greater effects in air quality terms. The approved proposal for the Exemplar has agreed a Construction Environment Management Plan, which can also control the dust and air quality impacts that this proposal may cause.
- 5.78 Noise and Vibration  
The conclusion reached is that generally the noise and vibration impacts of the proposal remain the same as assessed in relation to the Exemplar scheme and the mitigation therefore remains the same. Limitations to the assessment at the current

time relate to the lack of information as to the end users and the equipment that they may need therefore the Anti-Social Behaviour Team recommend a condition relating to the need for a noise survey which would need to take into account those future potential uses and any necessary mitigation. This condition is recommended, however it is important to note that the proposed mix of uses are not unusual within a local centre and therefore it is considered that there is likely to be appropriate mitigation available to overcome any concerns.

5.79 Contamination Land

The site was assessed for potential contamination at the time of the consideration of the HYBRID application. This has been reviewed and the potential sources have been identified as radon/ ground gases but at a low risk and so radon has protection measures are to be designed into the new buildings as mitigation. Currently the land is being used as a construction compound whilst residential development is being undertaken. Any potential contamination will therefore be mitigated prior to development commencing in line with the Construction Environment Management plan approved by 10/01780/HYBRID. Furthermore, a condition is suggested to deal with unsuspected contamination.

Generally, a Construction Environment Management Plan is recommended to be required by condition as this proposal is a standalone application and whilst it is likely to be similar to that approved by 10/01780/HYBRID, should be updated to reflect the current application

**Engagement**

5.80 With regard to the duty set out in paragraphs 186 and 187 of the Framework, no problems or issues have arisen during the application. It is considered that the duty to be positive and proactive has been discharged through the efficient and timely determination of the application and by maintaining regular contact with the applicant to secure amendments to the scheme.

**Conclusion**

5.81 It is considered that the proposal is acceptable in principle. The principle of a local centre is established through the grant of planning permission under 10/01780/HYBRID; the site sits within the allocated site for development at North West Bicester and is identified as being a location of a local centre within the Masterplan for the site. The changed quantum and mix of the uses within the local centre is also considered to be acceptable. Detailed matters in relation to design, transport, highway safety and other matters to meet the detailed Eco Town Standards are acceptable and can be secured by way of planning conditions and by linking the scheme to the S106 attached to 10/01780/HYBRID. The proposal is considered acceptable in other respects subject to the receipt of final comments as discussed through this appraisal. It is considered that the proposal would provide sustainable development and would cause limited harm as set out. The proposal therefore complies with the above mentioned conditions and is recommended for approval.

**6. Recommendation**

**Approval, subject to:**

- a) The applicants entering into a linking agreement to link this application proposal to the legal agreement pursuant to 10/01780/HYBRID to ensure the proposal remains bound by the clauses of that S106;
- b) The receipt of comments from consultees in relation to the most recent consultation and;
- c) the following conditions, with delegation to the Development Services

Manager to make any minor changes to the conditions to suit final amended plans:

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

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

2. Except where otherwise stipulated by condition, the development shall be carried out strictly in accordance with the following plans and documents: application forms, design and access statement, transport assessment, energy statement and the following plans:

- BIMP6 700B – Location map,
- BIMP6 701A - Masterplan,
- 14058 (P) 100 Rev G – Site plan,
- 14058 (P) 110– Proposed floor plan uses,
- 14058 (P) 113– North arcade first floor plan,
- 14058 (P) 115– North arcade second floor plan,
- 14058 (P) 122– North arcade north elevation K & south arcade south elevation M,
- 14058 (P) 123– North arcade section EE & south arcade section FF,
- 14058 (P) 125 - North and south arcade section JJ & section NN,
- 14058 (P) 101 Rev Q – Ground floor plan,
- 14058 (P) 111 Rev A – North Arcade Ground floor plan,
- 14058 (P) 112 Rev A – South Arcade Ground floor plan,
- 14058 (P) 114 Rev C - South arcade first floor plan,
- 14058 (P) 116 Rev A - South arcade second floor plan,
- 14058 (P) 117 Rev A – North and south arcade roof plan,
- 14058 (P) 120 Rev A – North arcade south elevation A & south arcade north elevation B,
- 14058 (P) 121 Rev A - North and south arcade east elevation C & west elevation D,
- 14058 (P) 124 Rev A - North and south arcade section GG & section HH,
- 14058 (P) 130 Rev A – Proposed site elevations,
- 14058 (P) 131 Rev A – Details of proposed elevations,
- 14058 (P) 200 Rev B – Community hall layout,
- 7705-UA001881-UP33D-02-Commercial Centre Vehicle Accessibility

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

3. Prior to the construction of the foundations of the buildings hereby approved, a stone sample panel (minimum 1m<sup>2</sup> in size) of the proposed beckstone shall be constructed on site, which shall be inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be laid, dressed, coursed and pointed in strict accordance with the approved stone sample panel.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy



Framework.

4. Prior to the construction of the foundations of the buildings hereby approved, a brick sample panel, to demonstrate brick type, colour, texture, face bond and pointing (minimum 1m<sup>2</sup> in size) shall be constructed on site, inspected and approved in writing by the Local Planning Authority. Thereafter, the external walls of the development shall be constructed in strict accordance with the approved brick sample panel.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

5. Prior to the construction of the foundations of the buildings hereby approved, samples of the slate roofing material to be used for the community centre shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the samples so approved.

Reason - To ensure that the development is constructed and finished in materials which are in harmony with the building materials used in the locality and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

6. Prior to the commencement of the development, full details of the doors and windows hereby approved, at a scale of 1:20 including a cross section, cill, lintel and recess detail and colour/finish, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the doors and windows shall be installed within the building in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

7. Prior to the commencement of the development full details of the required retaining structures to the west of the nursery and its garden and the pub and its garden adjacent to the river corridor shall be submitted to and approved in writing by the Local Planning Authority. The retaining structures shall thereafter be installed in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

8. Notwithstanding the details submitted and prior to the commencement of the development hereby approved, full specification details of the spine road through the development including construction, surfacing, layout, drainage and road markings, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of any of the buildings in the local centre the road/footways etc. shall be constructed in accordance with the approved details.

Reason - In the interests of highway safety, to ensure a satisfactory standard

of construction and layout for the development and to comply with Government guidance contained within the National Planning Policy Framework. This must be pre-commencement as the construction, layout and drainage of the highway are crucial to be agreed before development begins.

9. Prior to the commencement of the development hereby approved, full specification details (including construction, layout, surfacing and drainage) of the turning area and parking spaces within the curtilage of the site, arranged so that motor vehicles may enter, turn round and leave in a forward direction and vehicles may park off the highway, shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development. Thereafter, and prior to the first occupation of the development, the turning area and car parking spaces shall be constructed in accordance with the approved details and shall be retained for the parking and manoeuvring of vehicles at all times thereafter.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

10. Prior to the first use or occupation of the development hereby permitted, covered cycle parking and Sheffield stands shall be provided within the application site in accordance with the details submitted. The covered and uncovered cycle parking facilities shall be permanently retained and maintained for the parking of cycles in connection with the development.

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

11. Prior to the first occupation of any unit hereby approved, a Travel Plan prepared in accordance with the Department of Transport's Best Practice Guidance Note "Using the Planning Process to Secure Travel Plans" and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority for the local centre as a whole and for each unit. Thereafter, the approved Travel Plan shall be implemented and operated in accordance with the approved details.

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

12. Prior to the commencement of the development a Construction Traffic Management Plan providing full details of the phasing of the development has been submitted to and approved in writing by the Local Planning Authority (in consultation with the Local Highway Authority). This plan is to include wheel washing facilities, a restriction on construction & delivery traffic during construction and a route to the development site. The approved Plan shall be implemented in full during the entire construction phase and shall reflect the measures included in the Construction Method Statement received.

Reason - In the interests of highway safety and to safeguard the amenities of the occupants of the adjacent dwellings during the construction period and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

13. Prior to the occupation of the development, a Parking Management Plan for the Local Centre shall be submitted to and approved in writing by the Local

Planning Authority. The Plan shall include how parking will be managed, monitored, the allocation of car sharing spaces and how it will be enforced. The Parking arrangements shall thereafter be operated in accordance with the approved plan.

Reason - In the interests of highway safety, to ensure the provision of off-street car parking and to comply with Government guidance contained within the National Planning Policy Framework.

14. Prior to the provision of the bus stop, details of the facilities to be provided at the bus stop including Real Time Information and a programme of delivery, shall be submitted to and approved in writing by the Local Planning Authority. The bus stops and facilities shall be provided in accordance with the approved details.

Reason – To ensure facilities to enable convenient use of public transport to achieve the requirements of Planning Policy Statement 1: Eco Towns.

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

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

16. Notwithstanding the submitted details and prior to the commencement of the development, full details of a drainage strategy for the site including how it connects into the wider Exemplar scheme, detailing all on and off site drainage works required in relation to the development, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the drainage works shall be carried out and completed in accordance with the approved strategy, until which time no discharge of foul or surface water from the site shall be accepted into the public system.

Reason - To ensure satisfactory drainage of the site in the interests of public health, to avoid flooding of adjacent land and property and to comply with Policy ESD7 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

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

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

(b) details of the existing trees and hedgerows to be retained as well as those to be felled, including existing and proposed soil levels at the base of each tree/hedgerow and the minimum distance between the base of the tree and the nearest edge of any excavation,

(c) details of the hard surface areas, including pavements, pedestrian areas, reduced-dig areas, crossing points and steps.

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

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

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

19. Prior to the construction of the foundations of the local centre hereby approved, and notwithstanding the submitted details, full details, locations, specifications and construction methods for all purpose built tree pits and associated above ground features, to include specifications for the installation of below ground, load-bearing 'cell structured' root trenches, root barriers, irrigation systems and a stated volume of a suitable growing medium to facilitate and promote the healthy development of the proposed trees, shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details and specifications. The tree pits shall be constructed concurrent with the construction of the hard surfaced areas into which they are to be installed.

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

20. Prior to the commencement of the development hereby approved, an Arboricultural Method Statement (AMS), undertaken in accordance with BS:5837:2012 and all subsequent amendments and revisions indicating the protection to be provided to the tree, hedgerow and the 3m landscape buffer shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, all works on site shall be carried out in accordance with the approved AMS.

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

21. Prior to the installation of any green roofs, details of the construction and planting of these roofs along with details of the maintenance programme that will ensure the maintenance and long term maintenance of the roofs shall be submitted to and approved in writing by the Local Planning Authority. The

green roofs shall be constructed and maintained in accordance with the approved details.

Reason – To ensure the delivery of green infrastructure and biodiversity gain in accordance with Policy Bicester 1 of the Adopted Cherwell Local Plan.

22. Prior to the commencement of the development hereby approved, a plan showing full details of existing and proposed site levels for the proposed local centre buildings shall be submitted to and approved in writing by the Local Planning Authority. Thereafter the development shall be carried out in accordance with the approved finished floor levels plan.

Reason - To ensure that the proposed development is in scale and harmony with its neighbours and surroundings and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework

23. Prior to the commencement of the development hereby approved, full details of the location of bat boxes/ bricks and swift boxes to be installed on the elevations of the local centre shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the occupation of the local centre, the bat and bird boxes shall be installed on the site in accordance with the approved details.

Reason -To protect habitats of importance to biodiversity conservation from any loss or damage and to enhance biodiversity in accordance with Policy ESD10 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

24. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

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

25. The use of each unit within the local centre shall be within the range of use classes annotated on drawing numbers 14058 (P) 111 Rev A – North Arcade Ground floor plan, 14058 (P) 112 Rev A – South Arcade Ground floor plan, 14058 (P) 114 Rev C - South arcade first floor plan, 14058 (P) 116 Rev A - South arcade second floor plan, 14058 (P) 113– North arcade first floor plan, 14058 (P) 115– North arcade second floor plan and as specified in the Schedule to the Town and Country Planning (Use Classes) (England) Order 1987 (as amended) and for no other purpose(s) whatsoever. No unit shall be amalgamated.

Reason - In order to maintain the character of the area and safeguard the amenities of the occupants of the adjoining premises in accordance with Policies C28 and C31 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

26. All shop fronts and advertisements shall follow the guidance set out within the NW Bicester Exemplar Local Centre Design and Access Statement dated 24 April 2015.

Reason - In order to safeguard the amenities of the area and to comply with Policies C30 and ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

27. Prior to the first occupation of any unit to be within an A3 or A5 use hereby approved, full details of the method of mechanical ventilation/ extraction (should be it required) including and assessment of noise and odours and any external features shall be submitted to and approved in writing by the Local Planning Authority. Thereafter and prior to the first occupation of each unit within such use, any required mechanical ventilation/ extraction shall be installed, brought into use and retained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

28. There shall be no deliveries to any of the units within the local centre outside of the following times:

Monday-Saturday – [7.00am to 8.00pm]  
Sunday and Public Holidays – [No time]

Reason - In order to safeguard the amenities of the area and to comply with Policies C31 and ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

29. Prior to the installation of any external lighting, full details of any such lighting shall be submitted to and approved in writing by the Local Planning Authority. All lighting shall thereafter be installed in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to comply with Policy ENV1 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

30. Notwithstanding the submitted details and prior to the first occupation of the local centre, full details of all street furniture including benches, cycle stands, and cycle enclosures shall be submitted to and approved in writing by the Local Planning Authority. All street furniture shall be provided in accordance with the approved details.

Reason - To ensure the satisfactory appearance of the completed development and to comply with Policy C28 of the adopted Cherwell Local Plan and Government guidance contained within the National Planning Policy Framework.

31. Prior to the occupation of the development, the local centre and parking area shall be provided with solar PV to meet the required provision of solar PV as established through the Energy Strategy and additional information received.

Reason – To deliver zero carbon development in accordance with Planning

Policy Statement 1: Eco Towns.

32. Prior to the occupation of the development, full details of the measures that will be utilised to enable the scheme to achieve zero carbon, which should include details of offsite measures if necessary including the timescale for their provision shall be submitted to and approved in writing by the Local Planning Authority. The measures agreed shall be implemented in accordance with the approved details.

Reason – To deliver zero carbon development in accordance with Planning Policy Statement 1: Eco Towns.

33. All non-residential buildings shall be constructed to BREEAM EXCELLENT.

Reason – To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Policy Bicester 1 of the Adopted Cherwell Local Plan.

34. Prior to the commencement of development, details of the strategy to reach the aspiration of water neutrality including the use of rainwater harvesting or other agreed measures; shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved strategy.

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

35. Prior to the commencement of the development, a report outlining how carbon emissions from the construction process and embodied carbon have been minimised shall be submitted to and approved in writing by the Local Planning Authority. The development shall thereafter be carried out in accordance with the approved plan.

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

36. The relevant services to deliver the District Heating System shall be provided to each unit of the local centre prior to the occupation of that unit.

Reason – To deliver zero carbon development in accordance with Planning Policy Statement 1: Eco Towns.

37. Prior to the construction of the local centre buildings, details of the provision of superfast broadband for the proposed uses within the local centre shall be submitted to and approved in writing by the Local Planning Authority. Each unit shall be provided with superfast broadband prior to its occupation.

Reason – To support the creation of a low carbon economy and to meet the requirements of Policy BSC9 of the Adopted Cherwell Local Plan.

38. Prior to the occupation of each non-residential unit or commercial building, the building shall be provided with a 'real time information' system in accordance with details that have first been submitted to and approved in writing by the Local Planning Authority.

Reason – To facilitate information delivery and travel information in accordance with Planning Policy Statement 1: Eco Towns.

39. Prior to the commencement of construction, a Site Waste Management Plan, which shall demonstrate how zero construction waste will be sent to landfill, shall be submitted to and approved in writing by the Local Planning Authority.

Reason – To ensure no waste is sent to landfill to meet the requirements of the Planning Policy Statement 1: Eco Towns.

**Planning Notes**

1. The applicant is advised that Oxfordshire County Council as the Highway Authority will require a plan to show areas proposed for adoption.

**STATEMENT OF ENGAGEMENT**

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 by maintaining regular contact with the applicant to secure amendments to the scheme.