

**OS Parcel 4200 Adjoining And North East Of A4095
And Adjoining And South West Of
Howes Lane
Bicester**

17/00455/HYBRID

Applicant: Albion Land Two Limited

Proposal: Hybrid (part full and part outline) application for: (1) Full - construction of a temporary vehicular and pedestrian access (including footway along Howes Lane), permanent highway works (part of the proposed realigned Howes Lane) and pedestrian link to Howes Lane; (2) Outline - residential development, including landscaping, public open space, vehicular and pedestrian access.

Ward: Bicester North and Caversfield

Councillors: Cllr Nicholas Mawer
Cllr Lynn Pratt
Cllr Jason Slaymaker

Reason for Referral: Major application

Expiry Date: 21 June 2017 **Committee Date:** 15 June 2017

Recommendation: Approval; subject to the requirements at the end of this report

1. APPLICATION SITE AND LOCALITY

- 1.1. The application site is situated to the North West side of Bicester and forms part of the allocated site Bicester 1 in the Cherwell Local Plan Part 1 (2011-2031). The majority of the site sits adjacent to the built edge of the western extent of the town but is separated from it by Howes Lane. The red line site area includes part of Howes Lane itself. The site sits approximately 170m along Howes Lane from the roundabout junction (the Middleton Stoney Road/ Howes Lane/ Vendee Drive junction).
- 1.2. The site extends to 6.90ha (including highway land) and the land is currently in agricultural use, predominantly as one field. The site is bound by field hedgerows and trees and a block of woodland to the North West extent of the site. Adjacent to the site, to the north and west is agricultural land, which forms part of the allocated site and which is included within current planning applications, which have been considered by the Planning Committee and benefit from a resolution for approval (full planning history is set out below). To the south lies an area of land subject to a current application for commercial development (17/01090/F), and beyond this lies Bignell Park, an ecologically important landscape. To the east lies the residential area of Bicester.
- 1.3. In terms of site constraints, the land has some potential to be contaminated, there are records of ecological interest nearby and there are trees protected by a Preservation Order in the vicinity.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. The application seeks planning permission for development in the form outlined above. Full planning permission is sought for highway infrastructure, which includes part of the strategic link road (previously considered and has resolved to be approved under application 14/01968/F), a permanent footway to Howes Lane and for a temporary pedestrian and vehicular access from Howes Lane. An associated new footway/ cycleway along Howes Lane east is also proposed. Outline permission is sought for residential development of up to 150 dwellings on two parcels of land either side of the strategic link road with associated landscaping, public open space, vehicular and pedestrian accesses.
- 2.2. The application is accompanied by a set of parameter plans to establish land uses, residential building heights, vegetation, where vegetation will be retained and access and circulation. An illustrative layout is also provided to demonstrate how a future residential scheme could be accommodated with a design and access statement describing how the scheme has evolved as well as providing guidance on how the scheme could evolve in the future. The application is also accompanied by a suite of technical information including an Environmental Statement.

3. RELEVANT PLANNING HISTORY

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

The site itself:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
01/01689/CDC	Change of Use of agricultural land to Sports pitches	Application Permitted
12/01153/OUT	Outline - Erection of up to 70, 767 sqm of floor space to be for B1(b), B1(c), B2 and B8 use; access off the Middleton Stoney road (B4030); internal roads; parking and service areas; landscaping and the provision of sustainable urban drainage systems incorporating landscaped areas with balancing ponds	Application Withdrawn
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	Application Refused

	landscaped areas with balancing ponds and swales. Associated utilities and infrastructure.	
16/00114/SO	Screening opinion -Full planning permission for vehicular, cycle and pedestrian access (including temporary works) for the section of consented road link that pass through the site. Temporary access to the Development would be created via an interim link road (built to adoptable standards) from Howes Lane until the remainder of the consented road scheme is completed. Outline permission for residential development providing for up to 150 dwellings	Screening Opinion requesting EIA
17/01090/OUT	Development of B1, B2 and B8 (Use Classes) employment buildings, including landscaping; parking and service areas; balancing ponds and swales; and associated utilities and infrastructure. Construction of a new access off Middleton Stoney Road (B4030); temporary access off Howes Lane; internal roads, footways and cycleways	Pending Consideration

- 3.2. An appeal is currently pending pursuant to 14/01675/OUT.
- 3.3. Following the issue of 16/00114/SO, the applicant sought a Secretary of State Screening Direction on the basis that they disagreed that the scheme was EIA development. The Secretary of State directed, on the 03 March 2017, that the proposed development is EIA development and that any application for planning permission must be accompanied by an Environmental Statement. In summary, the reason for this is that the proposal forms an important part of the wider NW Bicester Eco Town and there are likely to be a number of cumulative effects that must be considered.
- 3.4. Application 17/01090/OUT will be reported to Planning Committee on the 06 July 2017.
- 3.5. Across the rest of the site allocated by Policy Bicester 1, the following applications are considered relevant:

<u>Application Ref.</u>	<u>Proposal</u>	<u>Decision</u>
10/01780/HYBRID	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	Application Permitted

	community centre of up to 350 square metres (<i>sui generis</i>), 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.	
14/01384/OUT	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 (reference 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	Pending Decision – resolution for approval 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	Pending Decision – resolution for approval made at Planning Committee in October 2015
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	Pending Decision – resolution for approval made at Planning Committee in

	east of the railway line, a new road around Hawkwell Farm to join Bucknell Road, retention of part of Old Howes Lane and Lord's Lane to provide access to and from existing residential areas and Bucknell Road to the south and associated infrastructure.	February 2016
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, C1 and D1), social and community facilities (Class D1), land to accommodate one energy centre and land to accommodate one new primary school (up to 2FE) (Class D1). Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure and other operations (including demolition of farm buildings on Middleton Stoney Road)	Pending Decision – resolution for approval made at Planning Committee in March 2016

4. PRE-APPLICATION DISCUSSIONS

- 4.1. Following the refusal of application 14/01675/OUT, informal discussions have been undertaken between Officers and the applicant both in relation to the appeal and the residential aspects of the refused scheme.

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 06.04.2017, although comments received after this date and before finalising this report have also been taken into account.

- 5.2. 21 representations have been received and the comments are summarised as follows:

- Opposed due to the suggested temporary access from Howes Lane.
- The realignment of Howes Lane should be completed before any construction commences.
- Construction of the road should also happen before other development so that the route of the realignment is not influenced or restricted by previously approved planning applications.
- Howes Lane is not fit for purpose and is beyond the roads capacity given the stream of heavy traffic and vehicles manoeuvring under the railway bridge.
- Vehicles travel above the speed limit.

- The noise and pollution from traffic currently affects living conditions and the negative effects will increase if development is approved with a temporary access.
- The noise and pollution must conflict with Bicester's Eco friendly claims
- How can Howes Lane in its current form cope with more traffic?
- Why is it necessary to have a temporary access from Howes Lane when plans for the realignment of Howes Lane are already in place. This development should wait for then.
- The temporary access route could be in place for years.
- The temporary road would incur additional costs of traffic lights and footways when surely it would be more efficient to start building the planned realigned road. The funding should be used towards the realigned road.
- Access should instead be provided off of Middleton Stoney Road.
- B8 warehousing should not be allowed to go ahead until the proposed tunnel and realignment of Howes Lane are in place.
- Support the campaign by Derwent Green residents group calling for a weight limit and reduced speed limit on Howes Lane.
- The proposal sets out that buildings could be 12-16m high. This will exaggerate noise as it reverberates off taller buildings rather than open fields.
- There will be an increased risk of flooding due to the capability of existing culverts, even if you construct a balancing pond.
- The development will bring more traffic to roads which are already at capacity.
- There will be a decrease in property value.
- Object to homes being built on employment land. There are already enough homes planned to be built and more are not required. Employment is needed.
- Question the need for another 150 homes next to a site earmarked for 6000 homes.
- The land should be designated as B1 to provide quality jobs for the people of Bicester and not B8 warehousing.
- The level of noise, pollution and vibration caused by construction and traffic would be unbearable for nearby residents.

Bicester Transport Action Group:

- Although the land is proposed for housing, B8 buildings are also going to be part of the development which means HGVs will be using Howes Lane. The road is currently unsuitable for lorries and trucks
- The new road infrastructure should be built before any development commences. If this cannot be committed to the buildings should not go ahead.
- The temporary access should not go ahead as it is likely to become a permanent access.
- Howes Lane is not suitable for the traffic. The road is not wide enough for heavy lorries and it is not acceptable for the residents whose properties back onto this road to be blighted by HGVs.
- It is considered the applicant is holding CDC to ransom by applying for permission to build houses on the land when B8 warehouses will be built which is not stated on the latest planning application.
- Access should be from the Middleton Stoney Road only.

Derwent Green Residents Association:

- The Group have been campaigning for measures to reduce the speed and volume of traffic on Howes Lane as an interim measure before the opening

of the realigned Howes Lane. Traffic and HGV traffic has significantly increased.

- Members experience an increase loss of amenity on a daily basis.
- It is hoped that the building of the realigned Howes Lane would put an end to the currently dangerous and deteriorating situation; however the earliest date appears to be Christmas 2019/ 2020.
- There has been some comfort from CDC Planning Committee insisting on a cap on new homes before the realigned Howes Lane is in place.
- Dismayed by the decision to allow some development at Himley Village. Hope that construction traffic will be barred from all use of Howes Lane.
- Suspicious that if temporary access is granted then it will be used as further evidence in support of the commercial application.
- The construction phase will result in a significant increase in HGV traffic and developers/ builders vehicle traffic and then 150 homes on Howes Lane.
- Howes Lane already has too much traffic and unacceptable levels of HGV traffic. This proposal will dangerously increase an already dangerous situation both in terms of road safety and environmental pollution.
- OCC have resisted requests for a reduction in speed. Traffic turning and the proposed pedestrian crossing will increase danger and slow the traffic therefore mean traffic is moving more slowly, increasing the likelihood of congestion resulting in greater pollution.
- The road widening around the access point appears to take the footway up to the boundary of properties on Wensum Crescent.
- Urge the Planning Committee to insist that the Howes Lane realignment is complete before agreeing to any further construction on this site.

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

6. RESPONSE TO CONSULTATION

- 6.1. Below is a summary of the consultation responses received at the time of writing this report. Responses are available to view in full on the Council's website, via the online Planning Register.

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. **Bicester Town Council:** Objects to this application as Howes Lane in its current form will not provide safe access.

- 6.3. **Middleton Stoney Parish Council:** No Objections

- 6.4. **Chesterton Parish Council:** Strongly Objects to the application.

CHERWELL DISTRICT COUNCIL CONSULTEES

- 6.5. **Landscape:**

- The LVIA has been considered and its methodology, results and conclusions are agreed with.
- Advice is provided on the play area requirements – 2 LAPs are required so that access is easy without crossing a busy main road. Concern regarding the proximity of a play area close to a water body. A NEAP would be required, but taking into account the attenuation basin, this may not be possible.

6.6. **Regeneration and Housing:** The proposal for the residential element of the outline application is for a total of 150 units. A 30% affordable housing requirement is relevant so 45 affordable units would be required. These should be of a tenure split 70% affordable rent and 30% shared ownership. An indicative mix is provided. The housing should be in clusters of no more than 15 properties and which should be a mixture of rent and shared ownership. The required standards are also provided.

6.7. **Recreation and Leisure:** The Leisure and Community requirements remain the same as the advice provided to the refused planning application 14/01675/OUT.

6.8. **Ecology:**

- The ecological surveys have been undertaken in line with standard methodology and so there is confidence in the results and conclusions drawn.
- The existing application site is predominantly arable and as such of low ecological value.
- The Biodiversity Impact Assessment completed takes into account the proposed habitat creation within the site and overall the proposals are expected to lead to a biodiversity gain on site which is welcomed and in line with policy.
- The onsite habitat enhancements are expected to result in a biodiversity gain on site, however a query as to whether two existing hedgerows are to be retained is raised.
- The site has value for nesting and overwintering farmland birds and it is acknowledged that the overall adverse effect of the eco town development cannot be mitigated on site due to the loss of arable habitat. Offsite compensation has been outlined within the report through appropriate habitat management off site for farmland birds. It is recommended that the S106 be used to secure this.
- A number of protected species are likely to be impacted through site clearance works in the absence of any mitigation measures. Mitigation measures are included in the report to safeguard these species and to buffer and protect the existing boundary hedgerows. It is recommended that these measures and a number of other detailed measures are included in a Construction Environment Management Plan.
- A Landscape and Habitats Management Plan is required to detail the long term habitat creation and management to maximise the biodiversity potential of the development.
- A number of conditions are recommended.

6.9. **Business Support Unit:** It is estimated that this development has the potential to attract New Homes Bonus of £760,121 over 4 years under current arrangements for the Council. This estimate includes a sum payable per affordable home.

6.10. **Arboricultural:** No adverse comments are made with regard to the proposal. The tree survey addresses the proposal in terms of good arboriculture and it should be followed with an Arboricultural method statement.

OXFORDSHIRE COUNTY COUNCIL CONSULTEES

6.11. **Transport:**

- Objection on the grounds that insufficient detail of the access road is provided where it is on the alignment of the planned NW Bicester Strategic Link Road and in terms of how future access arrangements to the residential

parcels could be provided. It is anticipated that this objection could be overcome with the provision of further plans/ information.

- A key requirement of this application will be to secure land within the applicant's control that is critical to the delivery of the strategic link road.
- Contributions are required towards planned cycle connections to the town centre and towards eventual NW Bicester bus services. A legal agreement is required to secure a number of contributions and to ensure the strategic link road through the site is delivered. A set of conditions are also recommended.
- The realignment of Howes Lane and the delivery of the rail tunnel is key to unlocking the wider North West Bicester site, as required by Bicester Policy 1 and the North West Bicester SPD. This infrastructure is expected to be provided by A2 Dominion, with contributions secured from other North West Bicester sites via a framework agreement. The route of the realigned road will go through the wider Albion Land site. Clarification is required as to the extent of this infrastructure to be directly provided by this development (Albion Land), and there will need to be careful coordination to ensure that the elements of permanent infrastructure conform to the overall scheme design and specification.
- To cover the small but significant risk that the Albion Land site is not implemented, OCC would wish to ensure there are options in place for full and early delivery of the link road as required by policy Bicester 1 and the NW Bicester SPD. In order to ensure the delivery of the NW Bicester allocation site, OCC consider that it will be necessary to require an appropriate legal mechanism by which delivery of the realigned road can be completed in the event that the wider Albion Land site is not implemented.
- Another important element of the transport strategy for the masterplan site is cycle connections with the town. There are a number of connecting routes proposed and this site would need to make its proportionate contribution.
- Likewise the site must make its proportionate contribution to the NW Bicester strategic bus service.
- The maximum amount of development at NW Bicester to be allowed before the Strategic Road Link has agreed for some time to be 900 homes (including the Exemplar site) and 40% of the employment. It was agreed with the previous Albion Land application that this small element of housing could replace a proportion of the employment amount. Although the Bicester Transport Model has been updated since that time, in light of the importance of securing the Strategic Link Road, as a vital part of facilitating the wider NW Bicester development, we remain satisfied with this as an overall limit on development prior to that road being in place, subject to suitable legal agreements being in place to secure it.
- The temporary site access junction proposed onto Howes Lane is shown to operate with ample capacity in 2022. This means that queuing of traffic turning right into the development is unlikely to cause significant delay on Howes Lane in the peak hours.
- The Travel Plan should be updated to respond to a number of detailed points.
- A detailed drainage condition is recommended.

6.12. OCC Bicester Members:

- No homes should be allowed prior to road and tunnel as the agreed cap has already been exceeded.
- If allowed, there should be no temporary access from Howes Lane; access should be from the new section of the realigned road off the Middleton Stoney road roundabout.
- Developer must contribute to the strategic infrastructure.

6.13. Archaeology: No objection subject to conditions. The site contains a number of archaeological features identified through geophysical survey and a trenched archaeological evaluation. A condition requiring that a programme of archaeological investigation be undertaken ahead of the development will need to be attached to any planning permission for the site.

6.14. Education: No objection subject to S106 contributions towards primary, secondary and special educational needs education towards the required new schools to serve the NW Bicester development and towards the necessary expansion of capacity at Bardwell School in Bicester.

6.15. Property: No objection. Due to the pooling limitations, OCC will not be seeking contributions towards community infrastructure such as libraries, strategic waste, museums or adult day care. OCC seek an administration and monitoring fee and confirm that Bonds are required to provide appropriate security by the landowner/developer for such payments. Contributions are index linked to maintain the real values of the contributions.

EXTERNAL CONSULTEES

6.16. Thames Water:

- With the information provided, Thames Water has been unable to determine the waste water infrastructure needs of the application. A planning condition should be imposed to require a drainage strategy before any development can commence on the site.
- An informative should be imposed relating to water pressure, the presence of a water main which is likely to pose a constraint for the future and the presence of large water mains adjacent to the site.
- With regard to waste water, Thames Water has been unable to assess the infrastructure needs of the development due to insufficient information. Additional information is required to determine the impact of the development on the local sewer network.
- Thames Water raises no objection to the proposal to discharge surface water run off to the existing ditch.

6.17. Environment Agency: No comments to make.

6.18. Sport England: The proposed development does not fall within the remit of Sport England therefore a detailed response has not been provided, however advice is provided to aid the assessment of the application.

6.19. Natural England: No comments to make. Standing advice should be used to assess impacts upon protected species and it is for the Local Planning Authority to determine whether or not this application is consistent with national and local policies on the local environment.

6.20. Highways England: No objection

6.21. Network Rail: NR has previously commented. Whilst the red line boundary area is not directly adjacent to the existing operational railway, vehicle access and egress leading to and from the site would be under the bridge at the north end of Howes Lane. As long as construction traffic avoids the usage of the bridge then Network Rail has no comments.

6.22. Bioregional: have assessed the documents submitted with the application against the Eco Towns PPS and Policy Bicester 1 of the adopted Cherwell Local Plan. A full table of comments is provided and is available via public access but the headline comments are:

- Zero carbon – The submitted application energy strategy states the delivery of the PPS definition of zero carbon; however this is reliant upon a connection to the potential wider district heating network. It will not meet the requirements of true zero carbon on a site only basis. It is important that an energy strategy is provided, with phasing and alternative options for meeting true zero carbon left open.
- Pleased to see the commitment towards Building for Life and Lifetime Homes. Confirmation should be sought as to whether the Code for Sustainable Homes will be targeted or an alternative such as the Home Quality mark.
- Transport – Modal shift – The TA and Travel Plan state their compliance with the long term targets of 50% of trips from non car modes. The more ambitious target is not acknowledged. Details as to when targets will be achieved and how the development will contribute to the NW Bicester wide modal shift targets. There is no information on the use of low and zero emission vehicles. Walking and cycling routes – the proposed location of walking and cycling routes within the residential areas should be provided. Additionally, the links to Bicester and elsewhere across NW Bicester should be identified. Walkability – The applications do not consider the walkability for the residential areas to nearby local centres and the primary schools. In the interim, connections to existing local facilities and schools should be identified.
- Biodiversity – It is acknowledged that biodiversity net gain for this site can be achieved without habitat compensation; however species compensation is still required for farmland bird species.
- A number of key matters that should be secured through planning conditions or S106 include the required hedgerow buffer zones, the requirement for a CEMP and the production of a management plan for habitats and features of value to biodiversity.
- Waste and water – It is expected that a commitment to water efficiency within the dwellings should be sought. The application does not acknowledge the aspirations towards water neutrality or the wider integration of water supply and disposal across the entire masterplan site. There is also no reference to waste targets.
- Monitoring – no commitment or mention of construction and post occupancy monitoring is made, including the embodied impacts of construction and defined sustainability metrics.

7. RELEVANT PLANNING POLICY AND GUIDANCE

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

- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the ‘saved’ policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District’s statutory Development Plan are set out below:

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

Sustainable communities

- PSD1: Presumption in Favour of Sustainable Development
- SLE1: Employment Development
- SLE4: Improved Transport and Connections
- BSC1: District wide housing distribution
- BSC2: Effective and efficient use of land
- BSC3: Affordable housing
- BSC4: Housing mix
- BSC7: Meeting education needs
- BSC8: Securing health and well being
- BSC9: Public services and utilities
- BSC10: Open space, sport and recreation provision
- BSC11: Local standards of provision – outdoor recreation
- BSC12: Indoor sport, recreation and community facilities

Sustainable development

- 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
- ESD13: Local landscape protection and enhancement
- ESD15: Character of the built environment
- ESD17: Green Infrastructure

Strategic Development

- Policy Bicester 1 North West Bicester Eco Town
- Policy Bicester 7 Open Space
- Policy Bicester 9 Burial Ground

Infrastructure Delivery

- INF1: Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- C28 – Layout, design and external appearance of new development
- C30 – Design Control

- 7.3. Other Material Planning Considerations

National Planning Policy Framework (NPPF)

The National Planning Policy Framework (NPPF) was published in March 2012 and sets out the Government's planning policies for England. It contains 12 Core Principles which should underpin planning decisions. These principles are relevant to the consideration of applications and for this application particularly the following;

- Plan led planning system
- Enhancing and Improving the places where people live
- Supporting sustainable economic development
- Securing high quality design
- Protecting the character of the area
- Support for the transition to a low carbon future
- Conserving and enhancing the natural environment
- Promoting mixed use developments
- Managing patterns of growth to make use of sustainable travel
- Take account of local strategies to improve health, social and cultural wellbeing.

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.

NW Bicester Supplementary Planning Document

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 NW Bicester SPD was adopted by the Council on Monday 22 February 2016. The SPD is based on the A2Dominion master plan submitted in May 2014 and seeks to embed the principle features of the master plan to provide a framework to guide development.

The SPD sets out minimum standards expected for the development, although developers will be encouraged to exceed these standards and will be expected to apply higher standards that arise during the life of the development that reflect up to date best practice and design principles.

One Shared Vision

The One Shared Vision was approved by the Council, and others, in 2010. The document sets out the following vision for the town;

To create a vibrant Bicester where people choose to live, to work and to spend their leisure time in sustainable ways, achieved by

- Effecting a town wide transition to a low carbon community triggered by the new eco development at North West Bicester;
- Attracting inward investment to provide environmentally friendly jobs and commerce, especially in green technologies, whilst recognising the very important role of existing employers in the town;
- Improving transport, health, education and leisure choices while emphasising zero carbon and energy efficiency; and
- Ensuring green infrastructure and historic landscapes, biodiversity, water, flood and waste issues are managed in an environmentally sustainable way.

Planning Practice Guidance (PPG)

8. APPRAISAL

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

- Relevant Planning History
- Environmental Statement
- Planning Policy and Principle of Development
- Five Year Housing Land Supply
- Eco Town PPS Standards
- Zero Carbon
- Climate Change Adaptation
- Homes
- Employment
- Transport
- Healthy Lifestyles
- Local Services and Employment
- Green Infrastructure
- Landscape and Historic Environment
- Biodiversity
- Water
- Flood Risk Management
- Waste
- Master Planning
- Transition
- Community and Governance
- Design
- Conditions and Planning Obligations
- Other matters
- Pre-application community consultation & engagement

Relevant Planning History

8.2. The relevant planning history for the site is highlighted in section 3 above. Of particular relevance is application 14/01675/OUT, which was refused for two reasons as follows:

1. The proposed employment uses, at 70% B8 and 30% B2 floor space, does not comply with Policy Bicester 1 of the Adopted Cherwell Local Plan 2011-2031 which states that the use classes sought across the North West Bicester site will be B1 with limited B2 and B8 uses. The proposed employment uses are not predominantly B1 and would provide lower employment levels than employment predominantly within Use Class B1. Additionally, the resulting scale, height and appearance of development from such a use class split, as established by the parameter plans submitted with the application, would be unacceptable in terms of the impact of the proposal upon the landscape, the visual amenities of the area and the amenity of neighbouring properties by virtue of being obtrusive and out of keeping with the predominantly residential character of the existing town and the development planned by the Masterplan for North West Bicester. The proposal is therefore not considered to be sustainable development and is contrary to Policies Bicester 1, SLE 1, ESD13 and ESD15 of the Cherwell Local Plan 2011-2031, Policies C28 and C30 of the Cherwell Local Plan 1996, the National Planning Policy Framework and the North West Bicester Supplementary Planning Document.
2. By reason of a lack of a satisfactory completed S106 legal agreement to ensure that the development adequately mitigates its impact on community

infrastructure, site wide infrastructure and secures the provision of affordable housing, the local planning authority cannot be satisfied that the impacts of the development in this respect can be made acceptable. In addition, the application provides insufficient information in respect of the detail relating to the Howes Lane temporary access, the provision of Green Infrastructure, the achievement of a net gain for biodiversity and an adequate Framework Travel Plan in order for an assessment to be made as to the acceptability of the proposal in relation to these specific matters. Consequently the proposals conflict with the requirements of Policies BSC3, BSC11, BSC12, INF1, Bicester 1, ESD10 and ESD17 of the Cherwell Local Plan 2011-2031, Policy H5 of the Cherwell Local Plan 1996, the National Planning Policy Framework and the North West Bicester Supplementary Planning Document.

- 8.3. As set out in section 3, this refused application sought permission for two distinct forms of development. A commercial element and a residential element. As Members will be aware, application 14/01675/OUT was refused by the Council's Planning Committee in June 2016 and there is a pending planning appeal in progress.
- 8.4. Following discussions, and on the basis that the refusal reasons predominantly related to the commercial element of the scheme, the applicant submitted the current application for the residential element of the refused scheme. This application is broadly in line with the details that formed part of the refused scheme, with the parameter plans reviewed and updated (as discussed below), and the provision of additional information to satisfy the detailed elements of the second reason for refusal (for example in relation to green infrastructure, net biodiversity gain, the Framework Travel Plan and the Howes Lane temporary access).
- 8.5. A separate planning application has been made for the commercial elements of the scheme and this will be reported to Members in July. Should Members resolve to approve both applications and a timely decision issued (which also relies on the necessary S106 agreements being completed), the applicant has indicated their willingness to withdraw the planning appeal.

Environmental Statement

- 8.6. The application is supported by an Environmental Statement given the proposal is EIA development. The scope of the EIA has been considered and taking into account the scale of the development, the main reason for the requirement for EIA is the cumulative effects of the development with other development, in particular the rest of the NW Bicester site. The ES therefore considers in detail the following topics: transport and access, landscape and visual assessment, ecology and cumulative effects. The ES considers why all other topics were scoped out, however the relevant topics from the 2014 ES are appended to the EIA. On this basis, it is considered that sufficient information is before the Local Planning Authority in order to consider the environmental effects of the development. The ES identifies significant impacts of the development and mitigation to make the development acceptable.
- 8.7. The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 Regulation 3 requires that Local Authorities shall not grant planning permission or subsequent consent pursuant to an application to which this regulation applies unless they have first taken the environmental information into consideration, and they shall state in their decision that they have done so. As this application was received before the introduction of the Town and Country Planning (Environmental

Impact Assessment) Regulations 2017, the 2011 regulations remain the relevant legislation.

- 8.8. The NPPG advises 'The Local Planning Authority should take into account the information in the Environmental Statement, the responses to consultation and any other relevant information when determining a planning application'. The information in the ES and the consultation responses received have been taken into account in considering this application and preparing this report.
- 8.9. The ES identifies mitigation and this needs to be secured through conditions and/or legal agreements. The conditions and obligations proposed incorporate the mitigation identified in the ES.

Planning Policy

- 8.10. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the District comprises the adopted Cherwell Local Plan 2011-2031 and the saved policies of the Cherwell Local Plan 1996.

Adopted Cherwell Local Plan

- 8.11. The 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 6000 homes and a range of supporting infrastructure including employment land. The application site forms part of the strategic allocation in the Local Plan and thus Policy Bicester 1 is the primary planning policy of the Development Plan that the proposal should be assessed against and has full weight. The Policy identifies that planning permission will only be granted for development at NW Bicester in accordance with a comprehensive masterplan for the whole area to be approved by the Council as part of a NW Bicester SPD. The policy is comprehensive in its requirements including matters relating to sustainable development, transport, housing, community infrastructure, recreation, water, landscape, environment and design. Alongside Policy Bicester 1 and within the Cherwell Local Plan 2011-2031 is the range of detailed policies, highlighted in paragraph 7.2, all of which also carry full weight. The policy requirements are considered throughout this appraisal.

NW Bicester SPD

- 8.12. As referred to above, Policy Bicester 1 seeks a masterplan for the site. This reflects the Eco Towns PPS requirements. A masterplan has been produced for NW Bicester by A2 Dominion and this has been incorporated into an SPD adopted by the Council in February 2016. The SPD amplifies the Local Plan policy and provides guidance on the interpretation of the Eco Towns PPS and standards for the NW Bicester site.
- 8.13. The Masterplan identifies the land subject to the current planning application for residential and green infrastructure purposes as well as indicating the alignment of the realigned Howes Lane strategic link road.

Cherwell Local Plan 1996

- 8.14. The Cherwell Local Plan 1996 includes a number of policies saved by the newly adopted Local Plan, most of which relate to detailed matters such as design and local shopping provision. Policy H18 is a retained policy, and this relates to new

dwellings in the open countryside. The development would conflict with this particular policy but given that the site forms part of an allocation in the newly adopted Plan, this is a material consideration. The policies of the adopted Cherwell Local Plan will be considered in detail through this appraisal.

Eco Towns Supplement to PPS1

- 8.15. The Eco Towns PPS was published in 2009 following the Governments call for sites for eco towns. The initial submissions were subject to assessment and reduced to four locations nationally. The PPS identifies land at NW Bicester for an eco-town. The PPS identifies 15 standards that eco towns are to meet including zero carbon development, homes, employment, healthy lifestyles, green infrastructure and net biodiversity gain. These standards are referred to throughout this report. This supplement was cancelled in March 2015 for all areas except NW Bicester.

NPPF

- 8.16. The NPPF is a material consideration in the determination of the planning application. It is stated at paragraph 14, that 'At the heart of the National Planning Policy Framework is a presumption in favour of sustainable development, which should be seen as a golden thread running through both plan making and decision taking'. For decision taking this means¹ approving development proposals that accord with the Development Plan without delay. The NPPF explains the three dimensions to sustainable development being its economic, social and environmental roles. The NPPF includes a number of Core Planning Principles including that planning should proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the Country needs. The NPPF also states at paragraph 47 that Local Planning Authorities should boost significantly the supply of housing and in order to do this, they must ensure that the Local Plan meets the full, objectively assessed needs for market and affordable housing and identify and update annually a supply of specific deliverable sites sufficient to provide five years' worth of housing against their housing requirements with an additional buffer (5 or 20%) to ensure choice and competition in the market for land.

Five Year Housing Land Supply

- 8.17. The Council's 2016 Annual Monitoring Report (AMR) concludes that for the 5 year period 2017-2022, the District has a 5.6 year supply of housing based upon the housing requirement of 22,840 homes for the period 2011-2031 (1142 homes a year), which is the objectively assessed need for the District contained in the 2014 SHMA. This includes a 5% buffer. As the District can demonstrate a five year housing land supply, the various housing supply policies in the Local Plan are thus up to date and accord with National Policy.
- 8.18. The five year supply position is reliant on housing delivery at strategic sites, including NW Bicester.

Principle of the Development

- 8.19. Given the above, it is concluded that residential development on this part of the site complies with the adopted Cherwell Local Plan 2011-2031 and the Masterplan for NW Bicester and can be considered to be acceptable in principle. The Framework advises that development proposals that comply with the Development Plan should be approved without delay. It is therefore necessary to consider the details of the

¹ Unless material considerations indicate otherwise

proposal; its benefits and impacts, how it would accord with other detailed policy requirements and consider whether the proposal can be considered to be sustainable development.

Eco Town PPS Standards

- 8.20. As described, the Policy requirements for NW Bicester set within the Eco Towns PPS, reflected within Policy Bicester 1 and expanded within the NW Bicester SPD include the achievement of minimum standards which are more challenging and stretching than would normally be required for new development. The aim is to ensure that eco towns are exemplars of good practice and provide a showcase for sustainable living. The Government's view is that eco towns should be exemplar projects that encourage and enable residents to live within managed environmental limits and in communities that are resilient to climate change. The Eco Town standards need to be considered in further detail.

Zero Carbon

- 8.21. 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.

- 8.22. This standard is higher than other 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.
- 8.23. 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. Paragraph 93 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.'
- 8.24. The Cherwell Local Plan 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 Policy ESD5 encourages renewable energy development provided that there is no unacceptable adverse impact.
- 8.25. The NW Bicester SPD includes 'Development Principle 2: 'True Zero Carbon Development'. The Principle requires the achievement of zero carbon and the need for each application to be accompanied by an energy strategy to identify how the scheme will achieve the zero carbon targets and the phasing.
- 8.26. The Cherwell Local Plan policy Bicester 1 identifies a number of standards relating to the construction of dwellings at NW Bicester reflecting the provisions of the Eco

Town PPS. For example the policy seeks homes to be constructed to Code for Sustainable Homes Level 5, meet lifetime homes standards and provide reduced water use. The determination of a planning application should be in accordance with adopted policy unless material considerations indicate otherwise.

- 8.27. Following the Government's review of Housing Standards, a number of changes have been introduced, which essentially mean that the Planning System has limited ability to secure higher housing standards with these matters now controlled through Building Regulations. The Code for Sustainable Homes has also been withdrawn. Planning conditions can however be used to secure higher water efficiency standards and to apply space standards, where there is a planning policy to reflect the national standards. Notwithstanding this, these changes relate to individual dwellings rather than the specific policy requirement for the development as a whole at NW Bicester to achieve zero carbon development as defined by the Eco Towns PPS and to seek to achieve water neutrality. These requirements have been supported by the Inspector in the examination of the local plan and were an important rational for the eco towns, that are to be exemplars of best practice. The work on the Exemplar development at NW Bicester has shown that the delivery of zero carbon development with reduced water use and the achievement of the eco town standards is feasible and achievable.
- 8.28. The application is accompanied by an energy statement. This demonstrates how the development the zero carbon standards in line with the lean, clean, green energy hierarchy philosophy. This would involve highly efficient building fabric and construction, on site energy generation utilising a low carbon technology with the ability to connect to the proposed future district heating network and a photovoltaic array provided to each dwelling. The report makes it clear that the development as a whole can only achieve zero carbon emissions, once the development is connected into the district heating system and energy centre.
- 8.29. The energy statement has been reviewed by Bioregional for the Council. The advice notes the commitment to the delivery of the PPS defined standard for zero carbon (albeit in a separate part of the report, the commitment relates to regulated emissions only – not unregulated as required), however that this is reliant on connecting to an off site energy centre and the district heating network. The temporary solution is understood from the report to be an on site energy centre.
- 8.30. The information provided within the energy statement is positive in the view of Officers in terms of providing a commitment to meeting the PPS definition of the zero carbon standard and using the energy hierarchy philosophy to fit in with the wider masterplan approach. The achievement of zero carbon will be difficult on a site of this scale when assessed alone as it is unlikely to justify its own energy centre; therefore it is likely to be reliant, eventually, on offsite infrastructure in terms of energy centres and the district heating network. Given the outline nature of the development, it is proposed to include obligations within the required S106 agreement that will seek further detail in relation to how the development will reach the zero carbon standards and the phasing for this (which can include temporary arrangements, a contingency should the district heating network not reach the site for the foreseeable future and the potential for further demand savings and increased provision of PV). This will allow the detailed outstanding points to be considered at a later date on the basis of a more detailed scheme. The achievement of zero carbon on the North West Bicester site overall is a key aspect of the site having been designated as an Eco Town and via the allocation at Bicester 1. It is critical that this development meets the required standards in order to contribute to the site as a whole meeting the aspirations of the Eco Town.

- 8.31. It is not proposed to condition the requirement to reach Level 5 of the Code for Sustainable Homes given this has now been withdrawn, however the requirements regarding reduced water use are recommended to reflect the higher building regulation standard now introduced.

Climate Change Adaptation

- 8.32. 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.

- 8.33. Cherwell Local Plan 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 new buildings to be designed incorporating best practice in tackling overheating.

- 8.34. The NW Bicester SPD includes 'Development Principle 3 - Climate Change Adaptation'. The principle requires planning applications to incorporate best practice on tackling overheating, on tackling the impacts of climate change on the built and natural environment including urban cooling through Green Infrastructure, orientation and passive design principles, include water neutrality measures, meet minimum fabric energy efficiency standards and achieve Code for Sustainable Homes Level 5. The principle also expects applications to provide evidence to show consideration of climate change adaptation and to design for future climate change.

- 8.35. 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.

- 8.36. The Design and Access Statement refers to the design principles established within the SPD, but does not specifically refer to the design principles that could be utilised in the future to contribute to the development being resilient to climate change. The applicant's agent has confirmed that this matter can be the subject of a planning condition to secure further information at the detailed design stage. The issue of orientation, overheating and other detailed matters such as the need for shutters, is a matter that can be considered in detail at a later stage, both in terms of design principles and as part of reserved matter applications. A planning condition is recommended that would require each reserved matter to be accompanied by a statement to demonstrate how the development proposed has been designed to take into account future climate impacts.

Homes

8.37. Eco towns PPS ET9 sets requirements for new homes at NW Bicester. It states homes in eco-towns should:

- a) achieve Building for Life 9 Silver Standard and Level 4 of the Code for Sustainable Homes 10 at a minimum (unless higher standards are set elsewhere in this Planning Policy Statement)
- b) meet lifetime homes standards and space standards
- c) Have real time energy monitoring systems; real time public transport information and high speed broadband access, including next generation broadband where possible. Consideration should also be given to the potential use of digital access to support assisted living and smart energy management systems
- d) provide for at least 30 per cent affordable housing (which includes social rented and intermediate housing)
- e) demonstrate high levels of energy efficiency in the fabric of the building, having regard to proposals for standards to be incorporated into changes to the Building Regulations between now and 2016 (including the consultation on planned changes for 2010 issued in June 2009 and future announcements on the definition of zero carbon homes), and
- f) achieve, through a combination of energy efficiency and low and zero carbon energy generation on the site of the housing development and any heat supplied from low and zero carbon heat systems directly connected to the development, carbon reductions (from space heating, ventilation, hot water and fixed lighting) of at least 70 per cent relative to current Building Regulations (Part L 2006).

8.38. The NW Bicester SPD includes 'Development Principle 4 - Homes'. This principle includes the requirement that applications demonstrate how 30% affordable housing can be achieved, ensure that residential development is constructed to the highest environmental standards, and involves the use of local materials and flexibility in house design and size as well as how development will meet design criteria. 'Development Principle 4A - Homeworking', which requires applications to set out how the design of the homes will provide for homeworking. This includes referring to the economic strategy as to how this will contribute to employment opportunities for homeworking.

8.39. Cherwell Local Plan Policy Bicester 1 states 'Layout to achieve Building for Life 12 and Lifetime Homes Standards, Homes to be constructed to be capable of achieving a minimum of Level 5 of the Code for Sustainable Homes on completion of each phase of development, including being equipped to meet the water consumption requirement of Code Level 5 and it also requires the provision of real time energy monitoring systems, real time public transport information and superfast broadband access, including next generation broadband where possible'.

8.40. The design and access statement refers to the Built for Life 12 and Lifetime Homes Standards as being applied to the development. Building for Life is a scheme for assessing the quality of a development through place shaping principles. This will be relevant as the scheme moves forward and to ensure the applicant's commitment can be met, a planning condition can be used. Lifetime homes standards were developed by the Joseph Rowntree Foundation to ensure homes were capable of adaptation to meet the needs of occupiers should their circumstances change, for example a family member becoming a wheelchair user. The standards are widely used for social housing. At this stage the application is in outline with no detail of the design of dwellings included and therefore this requirement will be covered by condition. As referred to above, the requirement to meet the code for sustainable

homes level is not proposed to be conditioned; however the higher water consumption requirements are proposed to be required by condition. The incorporation of energy monitoring systems, real time information and superfast/next generation broadband can be negotiated at the detailed design stage. A planning condition is recommended to secure real time energy and travel information.

Affordable Housing

- 8.41. Not only does the eco town PPS set out a requirement for affordable housing but saved policy H5 of the Cherwell Local Plan 1996 seeks affordable housing to meet local needs.
- 8.42. Policy BSC3 of the Cherwell Local Plan sets out a requirement for 30% affordable housing for sites in Bicester whilst Policy BSC4 seeks a mix of housing based on up to date evidence of housing need and supports the provision of extra care and other specialist supported housing to meet specific needs.
- 8.43. The NPPF advises that local planning authorities should use their evidence base to ensure that their Local Plan meets the full, objectively assessed needs for market and affordable housing in the housing market area, as far as is consistent with the policies set out in the Framework. The NPPF at para 50 goes on to advise;

'To deliver a wide choice of high quality homes, widen opportunities for home ownership and create sustainable, inclusive and mixed communities, local planning authorities should:

- plan for a mix of housing based on current and future demographic trends, market trends and the needs of different groups in the community (such as, but not limited to, families with children, older people, people with disabilities, service families and people wishing to build their own homes);
- identify the size, type, tenure and range of housing that is required in particular locations, reflecting local demand; and
- where they have identified that affordable housing is needed, set policies for meeting this need on site, unless off-site provision or a financial contribution of broadly equivalent value can be robustly justified (for example to improve or make more effective use of the existing housing stock) and the agreed approach contributes to the objective of creating mixed and balanced communities. Such policies should be sufficiently flexible to take account of changing market conditions over time.'

- 8.44. The development is proposed to meet the Policy BSC3 requirement for 30% affordable housing of the identified mix (70% affordable/ social rent and 30% intermediate) subject to the required S106 contributions and/ or changing market conditions bringing into question the sites viability. The provision of affordable housing can be secured by the required S106 planning agreement and the detailed housing mix will also need to be agreed for both affordable and market housing to ensure that it meets local need and again a condition and/or S106 agreement are proposed to address the issue of the housing mix. The provision of affordable housing is a significant benefit of the scheme.

Fabric Energy Efficiency

- 8.45. The PPS sets specific requirements for dwellings in terms of fabric energy efficiency and carbon reduction. As referred to above, the energy strategy confirms that in order to achieve the zero carbon targets, a highly efficient building fabric and

construction is required as well as the use of PV on each dwelling. It also suggests that in time, the homes will be capable of connecting to the District Heating system being delivered as part of the wider eco town.

- 8.46. The application makes provision for market and affordable housing. The detail of the housing will be established through reserved matter submissions guided by the requirements of conditions and agreements attached to any outline permission. These conditions will ensure the housing meets the PPS standards and delivers high quality homes as part of a sustainable neighbourhood as sought in the NPPF.

Employment

- 8.47. The Eco Towns PPS sets out the requirement that eco towns should be genuinely mixed use developments and that unsustainable commuter trips should be kept to a minimum. Employment strategies are required to accompany applications showing how access to work will be achieved and set out facilities to support job creation in the town and as a minimum there should be access to one employment opportunity per new dwelling that is easily reached by walking, cycling and/or public transport.
- 8.48. The NPPF identifies a strong, responsive and competitive economy as a key strand of sustainable development (para 7) and outlines the Government's commitment to securing economic growth (para 18). It advises that planning should operate to encourage and not act as an impediment to sustainable growth and significant weight should be placed on the need to support economic growth through the Planning system (para 19). The NPPF identifies offices, commercial and leisure development as town centre uses and advises a sequential test to such uses that are not in a town centre (para 24) and where they are not in accordance with an adopted plan. The benefit of mixed use development for large scale residential development is recognised, and a core principle of the NPPF is to promote mixed use development.
- 8.49. The Adopted Cherwell 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.
- 8.50. The NW Bicester SPD includes 'Development Principle 5 - Employment'. This principle requires employment proposals to address a number of factors and for planning applications to be supported by an economic strategy, which is consistent with the masterplan economic strategy and to demonstrate access to one new employment opportunity per new home on site and within Bicester. Each application should also include an action plan to deliver jobs and homeworking, skills and training objectives and support local apprenticeship and training initiatives.
- 8.51. The application site is proposed for residential use only and does not include any land for employment or mixed use purposes. The submission does not directly consider employment purposes, however the proposed parameter plans make provision for vehicular, footway and cycle way connections to the rest of the Eco Town and the rest of Bicester where employment opportunities exist or are proposed. Directly to the north of the application site is a proposed local centre and directly to the south is the main employment land, therefore providing connections are secured, the site would be within an accessible location for employment opportunities. At the detailed design stage, the inclusion of opportunities for home working can be considered and addressed (for example with the incorporation of superfast/ next generation broadband and dedicated home office space). Additionally, Policy Bicester 1 refers to the achievement of construction related apprenticeships. It is proposed to secure the provision of apprenticeships, through the requirement for a Training and Employment Management Plan through the S106

legal agreement. It is considered that the proposal would comply with the requirements of policy in this regard.

Transport

- 8.52. 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.
- 8.53. The NPPF has a core principle that planning should; *‘actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable’*; The NPPF also 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 limits the need to travel is also identified (para 37 & 38). The PPS 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).
- 8.54. The Adopted Cherwell Local Plan policy SLE4 requires all development to ‘facilitate the use of sustainable transport, make fullest use of public transport, walking and cycling’. Encouragement is given to solutions which support reductions in greenhouse gas emissions and reduce congestion. New development is required to mitigate off site transport impacts. 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.
- 8.55. The NW Bicester SPD includes 'Development Principle 6 - Transport, Movement and Access'. This principle requires movement to be addressed within planning applications with priority to be given to walking and cycling through improvements to infrastructure and ensuring that all new properties sit within a reasonable distance from services and facilities, the need to prioritise bus links and with other highway and transport improvements to the strategic road network.
- 8.56. 'Development Principle 6A - Sustainable Transport - Modal Share and Containment', seeks to achieve the overall aim that not less than 50% of trips originating in eco towns should be made by non car means. This supports providing attractive routes and connections through the development, providing connections to on and off site destinations including schools and local facilities, enhanced walking routes, the

provision of primary vehicular routes but which do not dominate the layout or design of the area, the provision of bus infrastructure, the use of car sharing and car clubs and with parking requirements sensitively addressed. The SPD also advises applications should demonstrate how these matters can be provided for as well as include travel plans to demonstrate how the design will enable at least 50% of trips originating in the development to be made by non car means.

- 8.57. Development Principle 6B – Electric and low emission vehicles requires proposals to make provision for electric and low emission vehicles through infrastructure and support in travel plans.
- 8.58. Development Principle 6C – Proposed Highways infrastructure – strategic link road and proposed highway realignments considers the benefits of realigning Bucknell Road and Howes Lane to provide strategic highway improvements, whilst creating a well-designed route that will accommodate the volumes of traffic whilst providing an environment that is safe and attractive to pedestrians, cyclists and users of the services and facilities used.
- 8.59. Development Principle 6D – Public Transport requires public transport routes to be provided that include rapid and regular bus services, with street and place designs to give pedestrians and cyclists priority as well as bus priority over other road vehicles. The location of the internal bus stops should be within 400m of homes and located in local centres where possible. Bus stops should be designed to provide Real Time Information infrastructure, shelters and cycle parking.

Introduction to transport matters

- 8.60. As described earlier, the application is essentially in two parts, with full planning permission sought for highway infrastructure in the form of a section of the final strategic link road (the whole route for which benefits from a resolution for approval under 14/01968/F), for a pedestrian access and a temporary vehicular and pedestrian access from Howes Lane. Outline permission is sought for residential development with all matters, including access reserved for later approval.
- 8.61. With regard to the temporary access, the Planning Statement confirms that once the sections of the strategic link road to the north and south of the site are brought forward, that this access would be removed. The Highway infrastructure plans also show the provision of a footway along the eastern side of Howes Lane, a dropped kerb crossing with central refuge close to the proposed point of temporary access from Howes Lane and a signalised pedestrian crossing linking to footpath 129/15, which connects through to Wansbeck Drive. The application parameter access and circulation plan indicates a broad area for where pedestrian accesses could be formed (to allow for accesses to other development parcels) and where residential vehicular accesses could be formed to access the residential parcels, which is directly from the strategic link road.
- 8.62. The application is accompanied by a Transport Assessment, which concludes that the residential development of up to 150 homes will not result in significant impacts on the local road network.
- 8.63. Transport matters are also assessed within the Environmental Impact Assessment. The ES finds that overall the potential for environmental effects is low with negligible residual effects predicted, albeit with minor beneficial effects predicted at the completed development stage for pedestrian delay and amenity given the proposed enhanced provision proposed. The mitigation suggested to avoid environmental effects includes the requirement for a construction traffic management plan and the

provision of a footway/ cycleway network as part of the site. Conditions are recommended in relation to these requirements.

Strategic Link Road and highway capacity

- 8.64. The need for the timely delivery of the strategic link road (realigned Howes Lane) has been identified in all applications for development at NW Bicester in order to improve the junction of Howes Lane and Bucknell Road where it passes under the railway and improve Howes Lane. These improvements are required for planned growth around Bicester, including North West. Policy Bicester 1 identifies that a key infrastructure need will be the need for *proposals to include appropriate crossings of the railway line to provide access and integration across the North West Bicester site. Changes and improvements to Howes Lane and Lords Lane to facilitate integration of new development with the town.* This requirement has been incorporated within the Masterplan for the site, now established within the North West Bicester Supplementary Planning Document (February 2016). The SPD identifies the provision of a new tunnel, to the west of the existing, beyond the Avonbury Business Park and Thames Valley Police premises. This enables a straight crossing under the rail line and an improved junction to the north. Linked to this improvement, is the realignment of the existing Howes Lane, from the Middleton Stoney Road roundabout to the new underpass. This work provides the necessary transport capacity and has further benefits in terms of its design, including incorporating footpaths, cyclepaths, sustainable drainage, avenue planting and crossings as well as improving the living conditions for existing residents that back onto Howes Lane by realigning the road away from their rear fences. Planning permission has been resolved to be approved for the development to provide the tunnel and realigned highway infrastructure under application 14/01968/F.
- 8.65. Given the constraints of the existing junction, Oxfordshire County Council (OCC) have advised that there is a limitation on the number of additional traffic movements through the junction before it fails to adequately function. This capacity was identified through work undertaken by Hyder Consulting (now Arcadis) in relation to application 14/01384/OUT (an application at NW Bicester for development to the north of the railway line) in December 2014. This work used the Bicester SATURN model and traffic modelling results for a Local Development Plan Interim Year of 2024 (which therefore factors in expected growth by 2024 on a number of allocated sites for housing and employment around the town). The work concluded that at 900 homes at NW Bicester, the Bucknell Road/ A4095 Howes Lane would be over capacity but that the capacity issues would not be significantly worsened compared to the situation consented for the Exemplar but that beyond this, there would be a severe impact upon the existing junction until the new infrastructure were in place. It is on this basis that the capacity for development at NW Bicester in advance of the strategic road infrastructure has been determined, which has been equated to 900 dwellings (including 393 already permitted on the Exemplar site) and 40% of the proposed employment land.
- 8.66. Given this restricted level of development available across the Masterplan site, in advance of the new transport infrastructure, Officers have given consideration to how this capacity could be used taking into account the following criteria: how could the capacity be used by development best able to deliver the necessary tunnel, what development could be achieved whilst still meeting the policy requirements for being sustainable and whether the development is deliverable. The highway infrastructure is critical to the development of NW Bicester beyond the capacity agreed above.
- 8.67. Officers have recommended to Members in relation to the other applications across the Masterplan site (all of which now benefit from a resolution to approve – as set

out above), how the restricted capacity could be used taking into account the factors above. In summary, that 507 units could be accommodated within the extent of and on a defined area of application site 14/01384/OUT, submitted by A2 Dominion on the basis that the development would sit adjacent to Elmsbrook (where 393 dwellings are already approved giving 900 dwellings in total) and which would benefit from the facilities and services available there and as such would be in a sustainable location. This is also on the basis that A2D are to facilitate the delivery of the strategic infrastructure including the tunnel. In this regard, A2D have secured a resolution for approval of this infrastructure (planning application 14/01968/F), have funding available in the form of a loan (with the cost of provision shared across the NW Bicester development based upon the level of residential development in each application used to secure contributions to repay the loan) and are progressing technical approval from Network Rail for the tunnel (the process also will establish costs and allow track possession for delivery to be booked). Officers have also advised that the trips equivalent to the 40% employment trips could be utilised by development on the Albion Land site (14/01675/OUT) on the basis that the land is adjacent to the western edge of Bicester, with the services and facilities that exist within a reasonable distance therefore accessible by walking and cycling and given the land includes land required for the delivery of the realigned Howes Lane. Application 14/01675/OUT was refused at Planning Committee in June 2016 and the current application forms part of the refused application site.

- 8.68. In addition, application 14/02121/OUT (the site known as Himley Village), has a resolution for approval, having been considered at Planning Committee in March 2017. This application site can deliver 500 dwellings in advance of the road and tunnel once a finalised programme for the delivery of the road and tunnel have been agreed. This level of development is in addition to the 900 dwelling trips and 40% commercial trips on the basis that that level of development would be unlikely to have been delivered in full by the time the road and tunnel are in place based upon current expected timescales therefore meaning that the traffic impact would be less than predicted at that point.
- 8.69. Beyond the above level of capacity identified, each application site would be subject to a Grampian condition to restrict further development until such time that the strategic link road infrastructure and tunnel are in place.
- 8.70. Given the above, and the fact that some capacity has been reserved for development on the application site, it is necessary to consider the traffic impacts of the current proposal and whether there is a need for a Grampian condition on this site area to control development.
- 8.71. The submitted Transport Assessment has used the updated Bicester Transport Model, and this concludes that there is highway capacity available for all 150 dwellings plus a proportion of the employment floor space (to be defined through application 17/01090/OUT) that could be accommodated within the realms of the accepted 40% commercial trips in advance of the road and tunnel. OCC have raised some reservations as to whether the right committed development has been added into the model (which could mean that the congestion at the junction could be worse than shown in the TA), however they have accepted the trip generation carried out as part of the Transport Assessment and therefore accept that 150 dwellings could be accommodated in advance of the road and tunnel based upon traffic impact on the Howes Lane/ Bucknell Road junction. This is also in the interests of facilitating the wider NW Bicester development by securing the strategic link road.
- 8.72. The Howes Lane/ Middleton Stoney Road/ Vendee Drive roundabout is expected to be over capacity, with a maximum queue of 8 vehicles on the Howes Lane arm in the 2022 base scenario and if additional committed development is added, this

impact could worsen. However, the 150 dwellings are shown to add only 4 vehicles to the queue and overall the temporary impact is unlikely to be one which could be considered severe.

8.73. On this basis, it is concluded that in regard to highway capacity, all 150 dwellings could be accommodated in advance of the road and tunnel and that there is no requirement for a Grampian condition on this application.

8.74. Notwithstanding the above, OCC consider that it will be necessary to require an appropriate legal mechanism by which delivery of the realigned road can be completed in the event that the wider Albion Land site is not implemented. In this regard, a legal agreement relating to the strategic road is proposed; to be entered into by all land owners/ those with an interest along the route of the road to secure the land required to deliver the whole road. It is understood that the applicant would only sign such an agreement if planning permission is resolved to be granted on both the current application site for residential development and the adjacent development site for commercial (17/01090/OUT). On this basis, whilst a Grampian planning condition is not required, the application is recommended subject to a legal agreement being entered into to secure the whole route of the realigned road and tunnel. Should this not be possible (i.e. the commercial application is refused) and the applicant is therefore not prepared to enter into such an agreement, then the current application would be reported back to committee.

Section of the Realigned Howes Lane

8.75. The application seeks full permission to deliver a section of the final realigned Howes Lane and the TA advises that the delivery of the remainder of the strategic route will not be prejudiced as a result of the works associated with access to the residential development as part of this application. The applicant confirms their commitment to collaborate in the provision of the whole route (subject to the grant of planning permission on land they control).

8.76. OCC confirm that the realignment of Howes Lane and the delivery of the rail tunnel are key to unlocking the wider NW Bicester site, as required by Policy Bicester 1 and the NW Bicester SPD. In this regard, clarification is sought as to the extent of the infrastructure to be provided by this development and there will need to be careful coordination to ensure the permanent infrastructure conforms to the overall scheme design and specification.

8.77. Through the application process, it was been identified that insufficient detail of the access road was provided and concern was raised that the proposal does not appear to exactly match the general arrangement of the proposed strategic link road. It is important that these details are entirely consistent given the application seeks full planning permission. The applicant has identified the relevant plans from 14/01968/F that would be complied with and a planning condition would be necessary to secure this.

8.78. OCC have commented that given the part of the access road that will form part of the strategic link road cuts through the centre of a future signalised junction, provision must be made to reconstruct the entire junction as a joint through the middle of a junction would be a future weak point due to turning movements. OCC recommend a planning condition to secure details of the remediation work that would be needed to the junction prior to the opening of the strategic link road.

8.79. OCC also identify that technical approval is required for the permanent section of the strategic link road (and temporary arrangements) and in this regard, the preference is that the individual section should not proceed unless in line with a S278 technical

approval for the road as a whole. Detailed comments regarding potential traffic calming, turning facilities, bus stops and potential interim drainage arrangements (in the event that the swales to be provided would not be connected to adjacent swales).

- 8.80. Notwithstanding the above acceptance regarding the submitted information of the section of the strategic link road, there is an outstanding matter regarding the applicant's proposed future access arrangements to their residential parcels. This is discussed below and this is the basis for the current OCC objection.

Temporary access

- 8.81. The implication of development occurring in advance of the realigned Howes Lane and tunnel is that a temporary access from Howes Lane would be required. This has attracted concern from Local Members and from nearby existing residents. The temporary access would take the form of a priority T junction, with the details consistent with the strategic link road and as referred to earlier, would be only open until the remainder of the link road is provided. Temporary footway/ cycleway arrangements as described earlier are also proposed. After this, it is proposed that the route would be closed to vehicular traffic and revert to a pedestrian/ cycle link. The speed limit along this section of Howes Lane would be reduced to 40mph and whilst this must be subject to consultation, Officers consider it is likely to be suitable.
- 8.82. The temporary access arrangements have been subject to a Stage 1 Road Safety Audit and an operational assessment as to traffic movements at the temporary access has been undertaken. The results indicate that there is highway capacity to accommodate this access with minimal queuing and delay at the junction during peak periods predicted. The Highway Authority confirms that the temporary site access junction proposed onto Howes Lane is shown to operate with ample capacity in 2022. As referred to above, the Highway Authority have some reservation with the level of committed development used in the model, however the view is expressed that even if additional trips were added reflecting different committed development, then the capacity is such that the traffic impact remains acceptable.
- 8.83. OCC have considered the Stage 1 safety audit, which is based on an assumption that the speed limit will be reduced to 40mph. This raised two concerns – one based upon lighting, and the other the need for safety barriers at the crossing. Both recommendations in terms of the provision of street lighting and safety barriers have been incorporated and can be secured by planning condition or as part of the detailed design submission for S278. On this basis, OCC do not object to the technical provision of a temporary vehicular access or the associated footway/ cycleway infrastructure.
- 8.84. Once the existing Howes Lane is stopped up, much of the infrastructure required for the interim stage will become redundant and likely removed.
- 8.85. Given the above, it is concluded that the aspects of development sought in full are acceptable and can be both accommodated in an acceptable way in highway capacity terms and taking into account highway capacity matters. The proposal therefore complies with policies highlighted above in these terms. Access arrangements to the site are required to be secured through the S106.

Outline matters

- 8.86. The application parameter plans show the proposed future accesses to the residential parcels indicatively from the strategic link road. The TA confirms that the internal arrangements for the residential development including details of the

individual plot location, car and cycle parking provision would be dealt with at the reserved matters stage.

- 8.87. Whilst access to the residential parcels remains a reserved matter, the suitability of how future access can be accommodated should be considered. OCC have confirmed that the original intention for the strategic link road was for no direct access to parcels from it between the main junctions in the interest of traffic flow and interrupting the cycleway, swale and landscaping as little as possible. On the basis of future traffic flows, OCC have confirmed that it is likely that these junctions would require ghost island right turn arrangements, which is not part of the strategic link road that has a resolution to grant permission.
- 8.88. The applicant's Transport Consultant has sought to argue that the detailed positions for the accesses would be established by reserved matters and that the parameter plans would not preclude access from the adjacent junctions instead. However, their view is that there is no technical reason why site accesses should not be formed from the strategic link road and it is considered that it may not be necessary for right turn lanes.
- 8.89. OCC have confirmed that their preference would be for access to be provided to the residential parcels from roads adjacent to the new junctions rather than directly from the strategic link road itself, once the full strategic link road is provided and open (temporary direct access may be acceptable). If this is not possible and permanent access must be taken from the strategic link road into both parcels, ghost island right turn junctions must be accommodated in order to enable traffic on the strategic link road to flow past vehicles waiting to turn right, in the interests of traffic flow and road safety.
- 8.90. A2D have already made a technical submission to the Road Agreements Team for the whole of the strategic link road. As the design of the road will need to incorporate these additional junctions, it will be necessary for the position of the junctions to be fixed now and for liaison to be carried out with A2D regarding the change to the design. The required updated design would need to accommodate all infrastructure already planned (i.e. the footway, footway/ cycleway and drainage and suitable crossing points and a pair of bus stops. The amendment would also make the south eastern arm of the signalised junction redundant and this would need to be incorporated in the re-design. Given the section of the strategic link road is proposed in full, insufficient detail is currently provided and it is on this basis that OCC object. It is however considered that this objection could be removed through the submission of further plans showing the access arrangements and the necessary modifications to the strategic link road design. In addition, amendments would be required to the A2D design for application 14/01968/F and it is hoped that this could be accommodated within the extent of the current red line for that application. Officers are aware that discussions are being undertaken between the applicant and A2D and therefore are confident that this issue can be overcome by the submission of additional information.

Sustainable Travel

- 8.91. The NW Bicester Masterplan has been developed to promote sustainable travel whilst also making provision for vehicular traffic so people have a choice in the way they travel. This application is consistent with the masterplan once the realigned Howes Lane is provided. In advance of that, the footpath connections are proposed to support sustainable travel. The NW Bicester Masterplan also includes local facilities such as shops that will provide for the needs of residents and employees on the development reducing the need to travel beyond the site.

- 8.92. This application does not include the provision of facilities which the NW Bicester masterplan shows provided elsewhere on the NW masterplan site. The nearest facilities would be located immediately to the North of the current application site in the local centre that is part of application 14/01641/OUT, which is subject of a resolution to grant planning permission subject to the completion of legal agreements.
- 8.93. The current application includes proposals to facilitate a pedestrian connection through to Wansbeck Drive to enable access to existing facilities in the town. The nearest existing local centre is situated on Shakespeare Drive just over 510m from the site boundary and the nearest primary school is approximately 800m from the crossing proposed on Howes Lane. The Eco Towns PPS suggests homes should be within 10 minutes walk of facilities and a maximum walking distance of 800m from a primary school to support sustainable travel. In the long term as the masterplan builds out homes will have convenient access on foot to new facilities including primary schools. If the current application proposals were built out prior to facilities within the wider NW Bicester development being provided they would have access to existing facilities within walking distance, all be it that the access through the existing residential area is not obvious and the nearest primary school would be just beyond 800m from the majority of the residential site. If this interim arrangement did come about improvement of the existing access routes to facilities, including signage and the promotion of sustainable travel would be necessary to encourage the use of sustainable modes and support the delivery of modal shift required to meet the PPS standards.
- 8.94. In this regard, the application directly proposes footway/ cycle links from the site to Howes Lane and Bicester beyond in the temporary period as has been described earlier. Whilst OCC have identified that the distance from the site to existing services and schools is beyond desirable walking distances and that this means walking may not be the mode of choice for local trips for many people in the interim situation, the site does sit adjacent to the existing town and in addition, the proposed facilities would provide the required opportunities.
- 8.95. The application also identifies a parameter for where pedestrian access could be formed within indicated areas. This would allow access to the strategic link road and beyond to other parts of the Masterplan site to allow access to the services and facilities to be provided elsewhere. This is considered acceptable at this stage.
- 8.96. The Masterplan work also identified off site connections, including an offsite cycleway along Middleton Stoney road between Howes Lane and Oxford Road, offsite improvements to a cycle route between Bucknell Road, George Street and Queens Avenue and offsite cycleway and traffic calming on Shakespeare Drive. Improvements towards public rights of way south of the railway, which link NW Bicester to the surrounding countryside are also proposed. In this regard, the current application site is expected to make its proportionate contribution to the cycle connections with the town. These are included within the proposed heads of terms.
- 8.97. The pedestrian cycle link under the railway at NW, west of the Howes Lane realigned vehicle tunnel is excluded from the current applications with the Council but is included in the NW Bicester Masterplan. It has been proposed to require its provision through the use of Grampian conditions to restrict the extent of development until the tunnel is in place on application 14/01384/OUT and contributions to the cost secured from other applications.
- 8.98. With regard to public transport and particularly bus services, and to provide a choice in ways to travel attractive public transport is necessary. The NW Bicester masterplan included proposals for bus services to be provided through the site in

two loops, to the North and the south of the railway line, to provide a regular service to the town centre and stations. This would provide for the majority of properties to be located within 400m of the bus route. To implement this service the parcels of land to the west and north (14/02121/OUT and 14/01641/OUT) would need to be developed.

- 8.99. The TA confirms that the site is situated adjacent to the existing Bicester built up area and which is served by bus services. It is confirmed that the layout, including connections will be designed to ensure the nearest bus stops on Wansbeck Drive to reach Service 21 would be within walking distance. The TA advises that discussions are ongoing as to the potential for an additional stop to reduce the walking distance from the site on Wansbeck Drive and that bus service enhancements are being discussed between the applicant and the bus operator. OCC have confirmed that only half the site would be within the recommended 400m walking distance of the bus stops in Wansbeck Drive, which is not conducive with encouraging people to travel by public transport. Nevertheless, service 21 offers journeys to the town centre with a reasonable frequency and hours of operation as an interim solution. OCC suggest that the developer would need to fund the additional infrastructure being discussed on Wansbeck Drive and that this is welcome given it would shorten the walking distance from the site as far as possible. Whilst the applicant is discussing bus service enhancements, OCC would not insist on this as the existing service is adequate as an interim solution providing service 21 continues to operate. However, the S106 would need to cover the eventuality of the Service 21 being discontinued.
- 8.100. The TA advises that the site will be adjacent to the permanent high frequency bus service in the permanent situation as bus services would run along the southern and eastern boundaries of the site. OCC confirm that the site must make its proportionate contribution to the NW Bicester strategic bus services and to a bus access scheme and this is included within the proposed Heads of Terms. A less accessible bus service early in the development is likely to make it harder to deliver the targets for modal shift and therefore measures to support sustainable travel such as the provision for real time public transport information to each home and business, as supported by the Eco Towns PPS, and active travel planning will be particularly important in these circumstances and the provision of bus services and these measures would need to be secured through planning conditions and legal agreement.
- 8.101. Bicester is well served by rail and with the improvements to services to Oxford and the proposals to extend services eastwards, make this an attractive mode of travel and makes the town an attractive location to live and work. The offsite improvements for walking and cycling and bus service provision will support the links to the stations in the town via the town centre.
- 8.102. OCC have also sought to secure a financial contribution towards a scheme of traffic calming for Middleton Stoney Village on the basis of work carried out to support the Masterplan, which identified the impact of the wider masterplan site upon surrounding villages and other junctions on the road network.

Travel Plan

- 8.103. The application is accompanied by a Residential Travel Plan. OCC have raised a number of detailed points and an updated plan has been requested from the applicant. In addition, reason for refusal two referred to the need for an updated framework travel plan. This was on the basis that the targets for modal shift on the site are ambitious and as such will require active measures to support the modal shift. Upon assessment, the travel plans submitted for the appeal scheme

essentially represented a ‘business as normal’ approach and as such it was unclear whether the site would deliver the significant modal shift sought. This was in contrast to other applications where a greater level of commitment and innovation has been identified such as the provision of car clubs and promotion of electric vehicles.

- 8.104. The current application residential travel plan is an updated version of the appeal version and again represents a business as usual approach that does not refer to the ambitious modal shift targets or give an indication of what measures could be used to meet this. It is hoped that by committee, additional information will have been received in relation to this matter.

Conclusion to transport matters

- 8.105. The impacts of development at NW Bicester across the masterplan site have been modelled in combination with other development in the town to identify the transport mitigation required. Each application at NW Bicester is expected to make appropriate contributions to the provision of the necessary improvements. The primary constraint identified in relation to the current application is the junction at Howes Lane/Bucknell Road.
- 8.106. The resolution of the capacity issues is the construction of a new tunnel under the railway which forms part of the master plan for the development but is outside the current application site. A2Dominion as applicants for 3500 dwellings have identified a route to deliver the tunnel and OCCs advice is that a maximum of 507 dwellings and 40% of the employment should be delivered. The proposed development under this application for 150 dwellings can be accommodated in highway impact terms in advance of the road and tunnel being delivered subject to a legal agreement to be entered into by all parties with an interest in the land being signed to secure the land for the whole route.
- 8.107. In order to accommodate these 150 dwellings in advance of the road and tunnel being delivered, a temporary access is proposed giving access from Howes Lane to the site. The Highway Authority has confirmed that the temporary access arrangements, both in terms of vehicular and pedestrian/ cycle infrastructure can be accommodated in highway capacity terms and in terms of the technical requirements.
- 8.108. This application, if permitted, facilitates part of the realignment of Howes Lane, part of which runs through the site. This realignment is a positive benefit of the scheme both in terms of making provision for vehicular traffic, pedestrians and cyclists but also for the existing residents living close to the existing road.
- 8.109. There is an outstanding matter relating to the final design of the strategic link road in terms of the incorporation of ghost island right turn lanes to facilitate direct access from the strategic link road to the future residential parcels. It is however considered that this matter can be resolved through the submission of further information and Officers are advised that this matter is being progressed. This should allow the Highway Authority objection to be overcome.
- 8.110. The achievement of modal shift is a key ambition for the site. The application proposals are situated on the edge of the existing town and therefore if delivered early could take advantage of access to existing local facilities, all be it that these are less conveniently situated than the proposed new facilities at NW Bicester which would be provided by other developers as they build out. It is also indicated that existing bus services could be enhanced to serve the site. This and securing the routes planned for the site and active promotion of sustainable travel will be key to achieving the reduction in travel from the site by private car.

Healthy Lifestyles

- 8.111. 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 Cherwell Local Plan identifies the need for a 7 GP surgery which is supported by information provided by NHS England.
- 8.112. The NW Bicester SPD includes 'Development Principle 7 – Healthy Lifestyles', which requires health and well being to be considered in the design of proposals. Facilities should be provided which contribute to the well being, 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.
- 8.113. The application site would contribute to the generous levels of open space across the wider site, with the provision of an area of strategic open space, open space within the residential parcels themselves and play provision. The site also contributes to the network of footways/ cycleways through the site providing opportunities for residents and to encourage healthy and active lifestyle choices. The site does not provide infrastructure on the site itself but it is adjacent to a local centre just to the north (part of application 14/01641/OUT submitted by A2 Dominion), which includes the secondary school, a primary school, mixed uses including retail, leisure, business and community and a GP practice. Contributions towards these off site infrastructure matters are sought. The application would therefore contribute to supporting local facilities and these would be accessible by sustainable modes of transport including walking and cycling helping to achieve healthy communities. It is considered the proposal would comply with the PPS in this regard.

Local Services

- 8.114. 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 Cherwell Local Plan Policy Bicester 1 identifies the following infrastructure needs for the site: education, burial ground, green infrastructure, access and movement, community facilities, utilities, waste infrastructure and proposals for a local management organisation. BSC 12 seeks indoor sport, recreation and community facilities whilst BSC 7 supports the provision of schools in sustainable locations and encourages co location.

- 8.115. The NW Bicester SPD contains 'Development Principle 8 – Local Services'. This principle requires facilities to meet the needs of local residents with a range of services located in accessible locations to homes and employment.
- 8.116. The Masterplanned approach to the NW Bicester site has enabled the distribution of local services to be planned taking into account accessibility to housing. As described above, this site does not provide local services directly, however given the

scale of the residential proposal and its proximity to a local centre with service provision and the need to fit in with the masterplan approach, this is acceptable. This local centre is accessible and alongside other local centres would provide a range of services to support future residents on the application site. The application would be expected to contribute to these required services. A cultural strategy has also been developed that would seek to ensure that culture and the arts are incorporated into development proposals. Additionally, some infrastructure provision is more sensibly made off site such as the expansion of the new library in the town centre and the existing sports centre and swimming pool. Other provision will be sought on other parts of the NW Bicester site; such as provision for extra care, permanent sports pitches and the country park and again, appropriate financial contributions would be sought.

- 8.117. The work done on planning for social and community infrastructure will result in the PPS standard being achieved and compliance with the advice in the NPPF and Cherwell Local Plan policies.

Green Infrastructure

- 8.118. The PPS requires the provision of forty per cent of the eco-town's total area to 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. A range of multi-functional green spaces should be provided and particular attention to providing land to allow the local production of food should be given.
- 8.119. The NPPF advises at para 73 that access to high quality spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities. It also emphasises that Local Planning Authorities should set out a strategic approach in their local plans, planning positively for the creation, protection, enhancement and management of networks of biodiversity and green infrastructure (para 114).
- 8.120. 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.
- 8.121. The NW Bicester SPD includes 'Development Principle 9 – Green Infrastructure and Landscape'. This principle requires green space and green infrastructure to be a distinguishing feature of the site making it an attractive place to live. Planning applications should demonstrate a range of types of green space that should be multi-functional, whilst preserving natural corridors and existing hedgerows as far as possible. Furthermore it emphasises that 40% green space should be demonstrated.
- 8.122. As part of the refused planning application, Officers raised concerns that the required 40% green infrastructure had not been demonstrated; in particular in terms of how green infrastructure would be accommodated within the residential parcel itself. The absence of this information was included within reason for refusal 2. The current application includes parameter plans to show where green infrastructure provision could be accommodated in broad terms and a green infrastructure calculation which defines the areas of green infrastructure that could be

accommodated within the residential parcels (albeit given that the layout is indicative, this is indicative at this stage, but shows how 40% could be accommodated). This calculation also includes green infrastructure along the strategic link road, in the form of the SuDs and footway/ cycleways there. Taking into account all areas of open space identified, over 40% of the current site area would be provided as green open space and this is in compliance with the policy requirements as described. Officers have queried the calculation in terms of including GI along the strategic link road as other application sites which also include this have not relied upon that GI; however the policy wording, with respect to defining green infrastructure includes reference to SUDs, footways and cycleways. Officers are therefore content that at this stage, it has been demonstrated that 40% green infrastructure can be accommodated at the later detailed design stages and it is suggested that the required design work (in terms of the urban design framework), should demonstrate the 40% GI to be planned for as part of the design work for the site.

- 8.123. The application has also been assessed against Cherwell Local Plan policy BSC11 which is the minimum standard that most developments are expected to meet. The policy sets out standards for general green space, play space, formal sport and allotments. For this application, based on 150 dwellings, this policy seeks around 1.06ha of general amenity space, 0.30ha of play space, 0.44ha of outdoor sport provision and 0.14ha for allotments. Across the application site, the proposal provides sufficient general amenity space and play space to meet the Policy BSC11 requirements. In particular, with regard to play, Officers have sought to secure a NEAP (Neighbourhood Equipped Area for Play) on the large area of open space, and a LAP (Local Area of Play) to the east of the strategic link road. This is on the basis that larger areas of play are sought to avoid numerous small play areas. Whilst local areas of play and open spaces are required throughout the housing layout, an equipped LAP is sought to the east of the strategic link road for reasons of accessibility, particularly for small children. The main area of open space sits to the west of the proposed realigned Howes Lane and this would be required to form an attractive landscaped area that may also include sustainable drainage features. This open space would be open and available for public use. The proposal does not indicate how it would meet the requirements for allotments, and provision is sought on site (of 0.14ha) on the basis that the site could meet its own requirements, providing allotments in an accessible location. Allotments are also provided across the rest of the site.
- 8.124. In respect to outdoor sport, on the advice of the Recreation and Health Improvement Manager the A2D masterplan sought a single location for sports pitches to serve the site to enable higher standard provision and to facilitate long term management and maintenance. In addition, it was desirable for the sports pitches to be located adjacent to the secondary school site to facilitate future sharing of facilities. As a result the sports pitches are located adjacent to the secondary school site but outside the current application site area. The provision of adequate outdoor sport space is important and it is proposed that contributions to the long term provision should be made. This would be secured through legal agreements.
- 8.125. The proposal complies with Policy in respect of the extent of GI provision to be no less than 40% of the site area and the requirements of Policy BSC11 as far as it is reasonable to. The proposal is considered to be acceptable in this regard.

Landscape and Historic Environment

- 8.126. 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 complements and enhances the existing landscape character. Measures 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.

- 8.127. Adopted Cherwell Local Plan Policy Bicester 1 requires 'a well-designed approach to the urban edge which relates 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.
- 8.128. The NW Bicester SPD contains 'Development Principle 9A – Tree Planting', requires native trees and shrubs should be planted on the site to reflect the biodiversity strategy. Sufficient space should be allocated for tree planting to integrate with the street scene and adjacent street furniture, highways infrastructure, buildings and any associated services.
- 8.129. 'Development Principle 9B – Development Edges' seeks to ensure that development on the edge of the site is likely to be more informal and rural in character and that this will be reflected in the nature of the green spaces to be provided whereas formal open spaces and sports pitches will have a different character.
- 8.130. 'Development Principle 9C – Hedgerows and Stream Corridors' requires applications to explain green infrastructure in relation to the way it fits with the housing and commercial developments. Hedgerow losses should be minimised and mitigated for and hedgerows to be retained should be protected and enhanced with buffer zones and additional planting. A minimum 60m corridor to the watercourses should be provided to create a strong landscape feature in the scheme and secure the opportunity for biodiversity gain. Dark corridors to provide connectivity between habitats and ecosystems must be planned and protected.
- 8.131. 'Development Principle 9D – Sports Pitches', requires that sufficient quantity and quality of an convenient access to open space, sport and recreation provision is secured through ensuring that proposals for new development contribute to open space, outdoor sport and recreation provision commensurate to the need generated by the proposals.
- 8.132. The application is submitted with an LVIA, and landscape and visual matters are included within the Environmental Statement. The application is accompanied by an LVIA within the Environmental Statement. The assessment finds the site to be within the Cotswolds Landscape Character area (Natural England National Character Area Map for England). The site also sits within the Wooded Estatelands' Landscape Character Type as set out within the Oxfordshire Wildlife and Landscape Study 2004. This character type has the following key characteristics:
 - Medium to large, regularly-shaped hedged fields.
 - Small, geometric plantations and belts of trees.
 - Large country houses set in ornamental parklands.

- Small estate villages and dispersed farmsteads.

8.133. The LVIA finds that in terms of landscape effects, the effects range from minor to moderate to substantial. However substantial effects are limited to the site area only and with mitigation, these effects would be reduced to minor to moderate adverse. Visual impacts will be experienced, particular on localised views from within the site or immediately at its edges as would be the case with development as allowed for by the allocation. Visual effects range from negligible to substantial and any substantial effects are limited to short range views only. The LVIA concludes that the degree of change upon landscape character can be accommodated without detriment to the character of the wider setting. Where future development is taken into consideration, the development will result in minor alterations to the landscape character. It is considered that the development can be integrated without substantial harm to the landscape context. The landscape has some capacity to absorb change and through introducing effective mitigation, the predicted landscape and visual effects can be reduced.

8.134. In mitigation, it is concluded that a Construction Environment Management Plan (CEMP) will be required as well as landscaping, buffers to retained hedgerows, enhancements to hedgerows and creation of amenity landscape areas. These matters can be secured via planning condition.

8.135. The application also considers lighting effects (in terms of internal and external lighting) and a moderate to substantial impact is predicted. In order to mitigate effects, the use of shrouds, angled fitting and low energy light fittings are proposed.

8.136. The Council's Landscape Officer has reviewed the LVIA and has confirmed that he agrees with the methodology, results and conclusions. Officers would also agree that the LVIA represents a fair assessment and that on this basis, development of the form identified could be accommodated without causing undue harm to the landscape and visual amenities in the future within the parameters identified subject to an appropriate design and layout as identified later.

8.137. The site is bound on three sides by hedgerows consisting of native species as well as an area of tree and scrub planting to the north western boundary of the site approximately 40m wide. An Arboricultural statement is provided with the application. This identifies that 9 individual trees, 5 groups of trees and 3 hedges can be retained and protected through this development. Sections of 3 hedges and 1 group of trees will need to be removed to facilitate the proposed development layout. The Arboricultural Officer has not raised objections to the conclusions reached in the Arboricultural survey. The NW Bicester Masterplan requires the provision of hedgerow buffers in the form of 10m either side of hedgerows and these will need to be accommodated within the future design of the parcel where hedgerows are retained.

8.138. In respect to archaeology, an archaeological investigation has been undertaken and has identified a number of archaeological features. The County Archaeologist has raised no objections to the proposal subject to conditions to require further work and therefore it is considered that the proposal is acceptable in this regard. There are no other heritage constraints with this proposal.

8.139. The Cherwell Local Plan suggests a soil management plan may be required. The Environmental Statement has scoped out soils and agricultural land, albeit that chapter from the 2014 ES is appended to the assessment. This identifies that the land is classified as 3b which does not make it 'best and most versatile'. The conclusion was that there is a likelihood that some damage to soil structure may

result, but that measures will be taken to ensure that soil quality is maintained as far as possible. A planning condition is recommended in relation to this matter.

Biodiversity

- 8.140. 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 provide 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 Cherwell Local Plan 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.
- 8.141. The NW Bicester SPD includes 'Development Principle 9E – Biodiversity', requires the preservation and enhancement of habitats and species on site, particularly protected spaces and habitats and the creation and management of new habitats to achieve an overall net gain in biodiversity. Open space provision requires sensitive management to secure recreation and health benefits as well as biodiversity gains. Proposals should demonstrate inclusion of biodiversity gains and all applications should include a biodiversity strategy.
- 8.142. Section 40 of the Natural Environment and Rural Communities Act 2006 (NERC 2006) states that "every public authority must in exercising its functions, must have regard ... to the purpose of conserving (including restoring / enhancing) biodiversity" and;

Local planning authorities must also have regards to the requirements of the EC Habitats Directive when determining a planning application where European Protected Species (EPS) are affected, as prescribed in Regulation 9(5) of Conservation Regulations 2010, which states that "a competent authority, in exercising any of their functions, must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions".

Articles 12 and 16 of the EC Habitats Directive are aimed at the establishment and implementation of a strict protection regime for animal species listed in Annex IV(a) of the Habitats Directive within the whole territory of Member States to prohibit the deterioration or destruction of their breeding sites or resting places.

Under Regulation 41 of Conservation Regulations 2010 it is a criminal offence to damage or destroy a breeding site or resting place, but under Regulation 53 of Conservation Regulations 2010, licenses from Natural England for certain purposes can be granted to allow otherwise unlawful activities to proceed when offences are likely to be committed, but only if 3 strict legal derogation tests are met which include:

- 1) is the development needed for public health or public safety or other imperative reasons of overriding public interest including those of a social or economic nature (development).
- 2) Is there any satisfactory alternative?
- 3) Is there adequate mitigation being provided to maintain the favourable conservation status of the population of the species?

Therefore where planning permission is required and protected species are likely to be found to be present at the site or surrounding area, Regulation 53 of the Conservation of Habitats and Species Regulations 2010 provides that local planning authorities must have regard to the requirements of the Habitats Directive so far as they may be affected by the exercise of those functions and also the derogation requirements (the 3 tests) might be met. Consequently a protected species survey must be undertaken and it is for the applicant to demonstrate to the Local planning authority that the 3 strict derogation tests can be met prior to the determination of the application. Following the consultation with Natural England and the Council's Ecologist advice given (or using their standing advice) must therefore be duly considered and recommendations followed, prior to the determination of the application.

- 8.143. The application is accompanied by an Ecological Assessment, which finds that the site is not covered by or adjacent to any sites that are subject to statutory or non-statutory protection. Construction of the development will involve the permanent loss of arable land, which is found to be of negligible ecological importance. A small section of hedgerow and the associated field margin will be lost to facilitate the construction of the temporary access; however the majority of hedgerows will be retained and provided with buffers in line with the NW Bicester Biodiversity Strategy. The report identifies the proximity of the site to ponds containing breeding populations of Great Crested Newts and that there is a possibility that individuals could be found on the site in suitable terrestrial habitat. The applicant seeks to utilise a CEMP to implement reasonable avoidance measures. The CEMP would also provide construction safeguards in order to avoid potential impacts upon badgers. Vegetation removal is also recommended to be carried out outside of the bird nesting season or after a check for active nests by an ecologist. The report also refers to the need for contributions to be provided towards offsite farmland bird mitigation. The assessment confirms that existing habitats will be retained and enhanced and new habitat created on site in line with local planning policy, the SPD specific to NW Bicester and the Biodiversity Strategy. Additional enhancements are also proposed including bat and bird boxes. A Landscape and Habitat Management Plan is also suggested as being suitable to provide a comprehensive ecological monitoring programme to describe measures to maximise the biodiversity potential of retained and newly created habitats through appropriate management and a programme of monitoring.
- 8.144. Ecology is also considered within the Environmental Statement and generally, whilst some environmental impacts are identified, it is concluded that with appropriate management through the use of a construction environment management plan to set out specific mitigation measures for particular species, that resulting impacts can be avoided. Additionally, with additional planting and its management through the submission of a Landscape Ecology Management Plan, habitats should be protected and enhanced. The ES acknowledges that farmland birds cannot be mitigated for onsite and that an offsite solution is required, identifying the mitigation as funding towards this matter.
- 8.145. With regard to Net Biodiversity Gain, the application documents include a biodiversity strategy and biodiversity offsetting metric, which includes a calculation based upon current planting proposals. As referred to, the refused application did not provide convincing evidence that a net biodiversity gain could be achieved and this therefore was included within reason for refusal two. The current calculation concludes that a +0.14 biodiversity unit gain can be provided based upon the calculation carried out considering existing and proposed habitats. A biodiversity gain would also be demonstrated in terms of linear impacts. It is therefore clear that the proposal is capable of delivering a net gain in biodiversity in principle. As the calculation can only be carried out based upon the current best available

information and it is dependent upon the future detailed proposals, it is suggested that a planning condition be used to require an updated calculation to be carried out based upon future reserved matter submissions.

- 8.146. The Council's Ecologist has confirmed that the ecological surveys have been undertaken in line with standard methodology and so confidence can be attributed to the results and conclusions drawn. The existing application site is predominantly arable and so of low ecological value. The Biodiversity Impact Assessment completed by the applicant takes into account the proposed habitat creation within the site and the proposals are expected to lead to a biodiversity gain on site, which complies with the above mentioned policies. The onsite habitat enhancements are expected to result in a biodiversity gain on site. The applicant's contribution to offsite compensation for farmland birds is welcomed as it is known that these species cannot be mitigated for onsite following the development. The Ecologist suggests that a Construction and Ecological Management Plan be provided to establish the measures to mitigate potential harm to a number of protected species that are currently suggested in the ecological assessment. A Landscape and Habitats Management Plan is also requested to detail the long term habitat creation and management to maximise the biodiversity potential of the development. Lighting schemes should also be sensitively designed to avoid light spillage onto the site boundaries in order to avoid any adverse impacts on bat commuting and foraging routes. A number of conditions are recommended.
- 8.147. In the view of Officers, subject to the imposition of planning conditions as referred to above, the developed proposed can be accommodated, during the construction and operational stages without causing significant harm to protected species. Additionally, a net biodiversity gain can be achieved, subject to the details of matters such as a landscaping scheme in the future. The proposed development is considered acceptable in relation to the above mentioned matters and in compliance with the above referenced policies.

Water

- 8.148. 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.

- 8.149. 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.

8.150. The NW Bicester SPD includes 'Development Principle 10 – Water'. This principle requires water neutrality to be achieved which means the total water used after a new development is not more than the total water used before the new development. Applications should be accompanied by a Water Cycle Strategy that provides a plan for the necessary water services infrastructure improvements. This should incorporate measures for improving water quality and managing surface water, ground water and local watercourses to prevent surface water flooding and incorporate SUDs designed to maximise the opportunities for biodiversity.

8.151. The application is not accompanied by a water cycle strategy, however, upon requesting additional information with regard to how this application site will contribute to water neutrality, a document has been submitted, providing information as to what could be considered at the future detailed design stage in order to contribute to the aspiration for water neutrality. This includes the potential for features to be incorporated such as rainwater harvesting, low consumption water appliances and strategies for wastewater treatment and the use of SUDs across the site to improve water quality and manage surface water to avoid flooding. It is proposed to recommend a planning condition to require each reserved matters application be submitted with a scheme to demonstrate how the detailed scheme will contribute to the aspirations towards water neutrality. As referred to earlier, it is also proposed to secure, via condition, the higher building regulations standard for water consumption, which again would contribute to minimising water consumption from the site.

Flood Risk Management

8.152. 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 Cherwell Local Plan 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.

8.153. The NW Bicester SPD includes 'Development Principle 11 – Flood Risk Management', which requires the impact of development to be minimised by ensuring that the surface water drainage arrangements are such that volumes and peak flow rates leaving the site post development are no greater than those under existing conditions. The aim is to provide a site wide sustainable urban drainage system (SUDs) as part of the approach and SUDs should be integrated into the wider landscape and ecology strategy. Applications should demonstrate that the proposed development will not increase flood risk on and off the site and take into account climate change

8.154. The application is accompanied by a site specific flood risk assessment and drainage strategy. This concludes that the site is within flood zone 1 and that it is at limited risk from flooding. The broad principle of the drainage strategy is to allow for restricting the flows to the ditch alongside Howes Lane to greenfield run off using the on site swales/ ponds and retention tanks and be designed for a 1 in 100 year + 30% climate change storm event.

8.155. Oxfordshire County Council, as Lead Local Flood Authority does however query the drainage design, stating that it is unclear what the mode of surface water discharge from the site is. Their assumption is that it will be via a piped system with

a limited rate of discharge via a hydro brake or similar and they query the surface water features referred to as swales as the shape and size of these suggest they are more like ponds. It is considered that the applicant has demonstrated through the information provided that the site is unlikely to be at risk of flooding and that a suitable drainage strategy can be achieved. It is therefore considered that with suitable conditions to agree a full drainage strategy, the application can be considered to comply with the PPS, NPPF and the Cherwell Local Plan policies with regard to flood risk.

Waste

8.156. 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 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

8.157. The NW Bicester SPD includes 'Development Principle 12 – Waste', which sets out that planning applications should include a sustainable waste and resources plan covering both domestic and non-domestic waste and setting targets for residual waste, recycling and landfill diversion. The SWRP should also achieve zero waste to landfill from construction, demolition and excavation.

8.158. The application submission does not provide a detailed sustainable waste and resources plan or set relevant targets. However it has been confirmed that such a plan will be provided at the detailed design stage to ensure that the amount of waste to landfill and the location of the landfill is the solution that results in the lowest possible impact on the environment. It will also demonstrate that targets for residual waste levels and landfill diversion can be met. It has also been confirmed that at the detailed design stage, where practical and viable, materials will be selected having regard for their ability to be locally sourced, reclaimed, recycled and renewable in order to assist in reducing waste and the reduction of landfill materials. It is therefore important that a condition is used to require a site waste management plan that sets appropriate targets to ensure that the requirements of the PPS and the SPD can be achieved.

Masterplanning

8.159. The Eco Towns PPS sets out that 'eco-town planning applications should include an overall master plan and supporting documents to demonstrate how the eco- town standards set out above will be achieved and it is vital to the long term success of eco towns that standards are sustained.' The PPS also advises there should be a presumption in favour of the original, first submitted masterplan, and any

subsequent applications that would materially alter and negatively impact on the integrity of the original masterplan should be refused consent.

8.160. The Cherwell Local Plan Policy Bicester 1 states 'Planning Permission will only be granted for development at North West Bicester in accordance with a comprehensive masterplan for the whole site area to be approved by the Council as part of a North West Bicester Supplementary Planning Document.'

8.161. The NW Bicester site identified in ACLP is large and it is important that development is undertaken in such a way as to deliver a comprehensive development. A masterplan is an important tool in achieving this particularly when there is not a single outline application covering the site as in this case. As referred to throughout this report, a Masterplan has been approved and is embedded within the NW Bicester SPD. This provides a framework for securing a comprehensive development. The application documents accompanying the current application align with the Masterplan and can be considered to comply with it. The application provides for the delivery of part of the strategic road, should this be required to be constructed in advance of the main route and opportunities for connections throughout the rest of the site are identified. Notwithstanding this, it will be important that appropriate triggers are included within legal agreements to ensure that the development is linked to the provision of infrastructure, including the provision of the re-aligned road and tunnel to ensure that the wider development provides infrastructure at the right time and to support the masterplan approach to delivery.

Transition

8.162. The Eco Towns PPS advises that planning applications should set out;

- a) the detailed timetable of delivery of neighbourhoods, employment and community facilities and services – such as public transport, schools, health and social care services, community centres, public spaces, parks and green spaces including biodiversity etc
- b) plans for operational delivery of priority core services to underpin the low level of carbon emissions, such as public transport infrastructure and services, for when the first residents move in
- c) progress in and plans for working with Primary Care Trusts and Local Authorities to address the provision of health and social care
- d) how developers will support the initial formation and growth of communities, through investment in community development and third-sector support, which enhance well-being and provide social structures through which issues can be addressed
- e) how developers will provide information and resources to encourage environmentally responsible behaviour, especially as new residents move in
- f) the specific metrics which will be collected and summarised annually to monitor, support and evaluate progress in low carbon living, including those on zero carbon, transport and waste
- g) a governance transition plan from developer to community, and
- h) how carbon emissions resulting from the construction of the development will be limited, managed and monitored.

8.163. The timing of the delivery of community services and infrastructure has been part of the discussions that have taken place with service providers in seeking to establish what it is necessary to secure, through legal agreements, to mitigate the impact of development. This has included working with Oxfordshire County Council on education provision and transport, NHS England, Thames Valley Police and CDC's Community Development Officer. Considerable work has been undertaken by others with regard to establishing a community management organisation (LMO).

8.164. The monitoring of the development is important and will allow the success of the higher sustainability standards to be assessed and inform future decision making. A monitoring schedule has been developed for the Exemplar development that is currently under construction which was secured through the legal agreement accompanying the application. A similar approach is proposed for the applications proposed by A2 Dominion and Officer's intend to negotiate a similar approach for this application.

8.165. The limiting of carbon from construction has been addressed on the Exemplar application by measures such as construction travel plans, work on reducing embodied carbon and meeting CEEQAL (sustainability assessment, rating and awards scheme for civil engineering). It is proposed that this same approach would be taken on subsequent applications for the wider site and so this would be relevant for the current application. Conditions and/ or the legal agreement would seek to address this point.

8.166. The requirements for transition arrangements can therefore be met and secured as part of any planning permission that might be granted.

Community and Governance

8.167. 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. Cherwell Local Plan Policy Bicester 1 requires the submission of proposals to support the setting up of a financially viable local management organisation.

8.168. The NW Bicester SPD includes 'Development Principle 13 – Community and Governance', which requires planning applications to show how they support the work to establish a Local Management Organisation (LMO) as the long term governance structure and seek to achieve a seamless approach across the site in terms of community led activities and facilities.

8.169. Work with a group of local stakeholders has been underway by A2 Dominion and CDC officers for a number of years. This has demonstrated there is a local appetite for such an organisation and helped to inform the role the LMO could play in future management of the development. As part of the work on the Exemplar application an interim management body will be formed to help inform and shape the management of the site. Work is progressing on this, with new residents showing an appetite for such an organisation. When the development reaches a critical mass this will move to a more formal structure and then to a fully-fledged LMO. The aim is for the LMO to develop as the development grows, subject to the residents and businesses having the appetite to take on the responsibility. Discussions have taken place with regard to the funding of the organisation and a mix of funding has been sought including an endowment of funds and property secured through legal agreements that could potentially generate an income.

8.170. There has been good progress in progressing the LMO through the work on the Exemplar application and to ensure the PPS and Cherwell Local Plan requirements are met, it is intended that details of the setting up of the LMO and funding for it so that it can be sustainable in the long term will be included in legal agreements for the site. The applicant has indicated their acceptance to discussing S106 matters and this would form part of those discussions.

Design

- 8.171. The NPPF advises 'The Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people' (para 56). The NPPF encourages consideration of the use of design codes, design review and advises great weight should be given to outstanding or innovative designs which help raise the standard of design more generally in the area. The Eco Towns PPS seeks the achievement of Building For Life as a measure of the quality of the development.
- 8.172. The ACLP policy ESD 15 on the character of the built and historic environment sets out 17 requirements for new development whilst Policy Bicester 1 has a further 33 design and place shaping principles. These requirements include contributing to the areas character, respect traditional patterns and integrate, reflect or re-interpret local distinctiveness, promote permeability, take a holistic approach to design, consider sustainable design, integrate and enhance green infrastructure, include best practice in overheating, enable low carbon lifestyles, prioritise non car modes and support sustainable transport, providing a well-designed approach to the urban edge, respect the landscape setting, visual separation to outlying settlements, provision of public art.
- 8.173. The NW Bicester SPD includes guidance on design and character areas. It sets a number of design principles, including the need for sustainability to be a key driver in the design of the eco town, creating a character, being integrated into the site and the surrounding town and countryside, creating a legible place, with filtered permeability that allows for efficient movement within and around the place, utilises a townscape led approach and which responds to its landscape setting. It includes information as to what information should be demonstrated through each planning application and the design principles that need to be complied with.
- 8.174. The application is an outline proposal, therefore at this stage it is necessary to consider the Design and Access Statement and the principles established for the site to guide development moving forward to the reserved matters stage. The application is accompanied by a set of parameter plans to identify the land use areas, residential building heights and vegetation parameters. An illustrative layout is also provided. The parameter plans generally align with those submitted in respect to the refused application 14/01675/OUT and Officers concluded that these were, on balance acceptable.
- 8.175. However, the parameter plan relating to residential building heights has been reviewed and updated and the parameter now allows for taller buildings along the whole route of the strategic road, up to 16m in height. The rest of the site would have a maximum height parameter of up to 12m. The increased height of development along the route of the realigned Howes Lane is generally acceptable in the view of Officers given that the NW Bicester SPD identifies that in local centres and along the strategic route, taller buildings with up to four storeys (up to 20m), will be considered in the Masterplan to increase density. Additionally, the parameter plans considered and accepted for other sites along the strategic route generally accords with the current proposals. The rest of the site being up to 12m in height also complies with the SPD guidance. Notwithstanding Officers view that the building heights proposed are generally acceptable, Officers do have some reservations as to a building of the maximum parameter being proposed in the future on the south east corner of the site (adjacent to the temporary link) due to the potential relationship with the existing two storey dwellings on the edge of Bicester. It is therefore suggested that a planning condition be imposed to restrict residential

building heights in this particular location so that the impact upon existing residential amenity is lessened.

8.176.The design and access statement explains a number of key design principles including considering where different type and density of development is best accommodated, responding to topography, providing for the 40% green infrastructure and the relationship with surrounding development. Connectivity is also considered to provide links to the rest of the eco town area as well as highway and parking arrangements. The document also refers to building materials and their sustainability performance and local sourcing and the document also commits to meeting Built for Life 12 and Lifetime Homes Standards as well as ensuring inclusive design.

8.177.The indicative layout has been considered and beyond the indicative access arrangements identified in the highway section of this report, the layout and form of development have been considered. Officers have identified a number of areas of concern, including the form of development identified that fronts the strategic link road, the rear of dwellings backing onto the existing route of Howes Lane, the relationship of buildings to each other and the public realm, the range of house types, the street structure and the relationship of the built areas to the landscaped areas and the place making qualities that are likely to result. Officers would also highlight that features such as the need for play space and design taking into account orientation will affect how the site can be developed. Whilst these concerns are highlighted, Officers have not sought amendments on the basis that the plan is indicative only and it has been demonstrated that up to 150 dwellings could be accommodated on the site. The intention is for additional design work to be established through an urban design framework prior to the submission of reserved matter applications so it is expected that these detailed design concerns can be addressed through detailed design work that will guide detailed planning applications.

8.178.Additionally, given the unique nature of the site it is proposed that a design review process is required for all detailed proposals going forward to make sure that they achieve high quality design as well as the high sustainability standards required. It is anticipated that sustainability will lead the design for the development and therefore it is likely to have a unique character. Nevertheless it will need to also be routed in the location and appropriate for the area.

8.179.Beyond the potential concern highlighted above regarding a building of the maximum parameter on the south east corner and the adjacent existing residential dwellings, Officers consider that the parameter plans provide a sound basis for being able to achieve a form of development that can be appropriately accommodated without causing serious harm to the residential amenity of dwellings either existing within Bicester or elsewhere across the NW Bicester site.

8.180.The approach to cultural wellbeing at NW Bicester is set out in a strategy appended to the NW Bicester SPD. The expectation is that proposals to support cultural wellbeing will be incorporated for each application site to make NW Bicester a culturally vibrant place through high quality design and community engagement. Whilst financial contributions are not sought, the approach to cultural wellbeing will be established through the S106 to secure the contribution of each site to the overall approach. This will contribute to the design, public realm and quality of the site.

8.181.The framework plan provides a sound basis, albeit at a high level, on which further detailed design can be based and the submitted information demonstrates that the proposal can be accommodated without causing serious harm to the residential

amenity of neighbouring properties both in respect of existing and proposed residential properties. Design will need to be developed and this can be secured through the imposition of conditions to fulfil the requirements of the policies in the Cherwell Local Plan.

Conditions and Planning Obligations

8.182. Planning obligations need to meet the requirements of Community Infrastructure Levy (CIL) regulation 122 which states 'A planning obligation may only constitute a reason for granting planning permission for the development if the obligation is—

- necessary to make the development acceptable in planning terms;
- directly related to the development; and
- fairly and reasonably related in scale and kind to the development.'

8.183. In addition CIL Reg 123(3) limits the number of planning obligations to 5 that can be used to secure a project or type of infrastructure if that obligation is to be taken into account as a reason for approval. It is believed that the obligations identified in the Heads of Terms in Appendix 1 all meet the Regulation 122 and, as far as relevant, the Regulation 123(3) tests and can be taken into account as part of the justification for the grant of consent.

8.184. The development will require a S106 legal agreement to secure the mitigation and infrastructure necessary to make the development acceptable. In order to secure the land for the strategic link road, a S106 is proposed that all Land Owners along the route would be required to enter into. Alongside this, a site specific S106 is required as required for all developments at NW Bicester in line with the Heads of Terms identified at appendix A. This application forms part of a large scale and complex site and the matters to be secured by planning obligation have been identified for the site as a whole with the proportionate requirement for each site identified. Discussions are currently underway with the applicant as to the Heads of Terms and progress upon drafting an agreement should have been made by the date of committee.

8.185. Conditions should only be imposed where they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects (para 206). A list of planning conditions is recommended as set out below and as discussed and identified through this report. As discussed in the transport section of this appraisal, there is no need for a Grampian condition to restrict development on this site until the strategic realigned Howes Lane and tunnel are in place as there is highway capacity available to accommodate the level of development proposed by this application.

Other Matters

8.186. As referred to above, the temporary access and footway/ cycleway arrangements on the existing Howes Lane would require lighting and the new residential areas would require lighting. The lighting in the residential areas would be designed to accord with industry best practice and consideration of environmental receptors and as referred to above, could be mitigated to avoid significant landscape impacts and therefore impact upon residential amenity. Lighting along the existing Howes Lane would be designed to highway standards and would be required to be agreed by the Highway Authority.

8.187. The ES also considers detailed environmental topics such as air quality, noise and vibration, waste and recycling, flood risk and water resources, utilities, archaeology and built heritage and ground conditions and contamination. No significant

environmental effects are expected in respect of any of these detailed matters and can be controlled, for example through the construction phase by appropriate management.

- 8.188. The ES also considers cumulative impacts and does not predict significant impacts, either at the construction or operational phases particularly when mitigation measures, such as construction management are taken into account.

Pre-application community consultation and engagement

- 8.189. 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).

- 8.190. The application is accompanied by a Statement of Community Involvement. This explains the level of community consultation that has been undertaken in the past (including that carried out in relation to the Masterplan for NW Bicester as a whole) and that which has been carried out since the refusal of application 14/01675/OUT. In respect to the current application, the applicant has engaged with Officers and Members and has contacted local residents by post to advise of their intention to submit a new application for residential development.

Financial Implications

- 8.191. Section 70(2) of the Town and Country Planning Act 1990 (as amended) provides that a local planning authority must have regard to a local finance consideration as far as it is material. This can include payments under the New Homes Bonus. The scheme has the potential to secure New Homes Bonus of £760,121 over 4 years under current arrangements for the Council. This estimate includes a sum payable per affordable home. However, officers recommend that this is given no weight in decision making in this case given that the payments would have no direct relationship to making this scheme acceptable in planning terms and Government guidance in the PPG states that it is not appropriate to make a decision based on the potential for the development to raise money for a local authority or other Government body.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires planning applications to be determined against the provisions of the Development Plan unless material considerations indicate otherwise. The overall purpose of the Planning system is to seek to achieve sustainable development as set out within the Framework. The three dimensions of sustainable development must be considered, in order to balance the benefits against the harm in order to come to a decision on the acceptability of a scheme.
- 9.2. The principle of residential development as proposed complies with Policy Bicester 1 of the Development Plan and the Masterplan for North West Bicester and is therefore considered to be acceptable. The number of dwellings proposed would fall within the overall number of residential units allocated for the site and it has generally been demonstrated that the number can be accommodated on the site. The development would also provide for 30% affordable housing. This contributes to the economic and social role of sustainability by contributing to the supply of market and affordable housing on a sustainable site.

- 9.3. The proposal has been assessed against the high standards sought at NW Bicester in order to achieve a zero carbon development as required by Policy Bicester 1, the Masterplan and the Eco Towns PPS. Subject to the use of obligations/ conditions to secure additional detailed information, it is considered that this development can meet these high standards in terms of being zero carbon, adapting to climate change and highly energy efficient. This would contribute to the environmental role of sustainability by helping to mitigate and adapt to climate change including moving to a low carbon economy.
- 9.4. In transport terms, the proposal can be accommodated without causing a severe highway impact, both in the long term and short term, including the provision of a temporary access. Additionally, the proposal contributes towards the land required to provide the long term strategic link road (and other land will be required to be made available through a legal agreement to secure the land for the route of the whole road). The proposal would also be required, through the imposition of condition/ legal agreement obligation to contribute towards the achievement of securing sustainable travel measures offsite and on site to the wider NW Bicester site.
- 9.5. The proposal has also been demonstrated to comply with other required criteria, including the achievement of a net biodiversity gain, without causing an impact upon existing biodiversity, the provision of 40% green infrastructure, being close to local services and the ability to be designed to promote healthy communities, in an area of low flood risk, with it possible to accommodate drainage in a suitable way and by making a contribution to the aspiration to water neutrality and the sustainable management of waste.
- 9.6. Subject to the completion of a satisfactory S106 agreement to secure mitigation resulting from the impact of the development both on and off site, and a set of conditions it is therefore concluded that overall the development represents sustainable development, complies with the policies identified through this report and is recommended for approval.

Environmental Impact Assessment Determination

- 9.7. Regulation 24 of The Town and Country Planning (Environmental Impact Assessment) Regulations 2011 requires;
- 24.—(1) Where an EIA application is determined by a local planning authority, the authority shall—
- a) in writing, inform the Secretary of State of the decision; .
 - b) inform the public of the decision, by local advertisement, or by such other means as are reasonable in the circumstances; and .
 - c) make available for public inspection at the place where the appropriate register (or relevant section of that register) is kept a statement containing— .
 - i. the content of the decision and any conditions attached to it; .
 - ii. the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public; .
 - iii. a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development; and
 - iv. information regarding the right to challenge the validity of the decision and the procedures for doing so.
- 9.8 It is therefore **recommended** that this report and the conditions and obligations proposed for the development are the treated as the statement required by Reg 24 C (i) - (iii). The information required by Reg 24 C (iv) will be set out on the planning decision notice.

10. RECOMMENDATION

That permission is granted, subject to

- a) Delegation of the negotiation of the S106 agreement and Strategic Road Agreement to Officers in accordance with the summary of the Heads of Terms attached at appendix A (to follow) and subsequent completion of S106 agreements
- b) Resolution of the Highway Authority objection regarding the strategic link road, including the submission of plans for approval
- c) The following conditions with delegation provided to the Development Services Manager to negotiate final amendments to the wording of conditions:

Conditions to follow

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