

Appendix B

Proposed Himley Village North West Bicester
Middleton Stoney Road
Bicester
Oxfordshire

14/02121/OUT

Case Officer: Caroline Ford **Ward(s):** Bicester North And Caversfield

Applicant: Portfolio Property Partners Ltd

Ward Member(s): Cllr Nicholas Mawer
Cllr Lynn Pratt
Cllr Jason Slaymaker

Proposal: 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)

Committee Referral: Major

1.

- 1.1 This application was reported to Planning Committee in February 2016 with a recommendation of approval. This report is presented at appendix A. That report provides a site description, provides details of the proposal, identifies the relevant planning policy, the range of publicity and consultation responses received to the application and the Officer appraisal of the scheme.
- 1.2 The application was deferred by Members at the February 2016 committee in order to allow for further negotiations and to allow for responses to be provided to Members comments/queries in relation to the following matters:
 - Transport and the deliverability of the proposal;
 - Affordable Housing;
 - Clarification over matters relating to bus stops, play areas, the response from Network Rail and the proposed sports pitches and associated facilities.
- 1.3 This report seeks to update Members on the progress made since the February 2016 committee and provide an updated recommendation. The report does not seek to repeat the issues set out within the earlier report but will provide an overview of the transport issues to provide Members with a comprehensive update.

2. Description of Proposed Development

- 2.1 The proposed development remains as set out within the February 2016 Committee report and which is described at paragraph 1.4 of that report. Since the February 2016 Committee, and particularly due to the transport position set out within that report, the applicant has proposed an 'interim highway scheme' that is described within a Transport Assessment Addendum submitted in October 2016. In summary, this interim highway scheme proposes changes to the Bucknell Road junctions with Lords Lane and Howes Lane by signalling both junctions. The Assessment is accompanied by a range of technical appendices including a Safety Audit of the highway changes that form part of the interim scheme. The submission is also accompanied by an addendum to the Environmental Statement which assesses the Environmental Impacts of the interim scheme.
- 2.2 Further information has also been submitted on the likely rate of delivery of development at NW Bicester to support the applicant's assertion that, within the level of development the County Council has accepted prior to the tunnel under the railway, there is capacity for development at the application site.

Environmental Statement

- 2.3 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 the regulation applies unless they have first taken the environmental information into consideration, and they shall state in their decision that they have done so.
- 2.4 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, the consultation responses and the addendum to the ES has thus been taken into account in considering this application and preparing this report. The ES identifies mitigation and this needs to be secured through conditions and/or legal agreements. The conditions and obligations proposed must incorporate the mitigation identified in the ES.

3. Relevant Planning History

- 3.1 There is no other relevant history for this particular application site; however there is a range of planning applications that have been made across the Masterplan site including Elmsbrook. These are summarised at paragraphs 5.1-5.3 of the February 2016 committee report.

4. Response to Publicity

- 4.1 One additional third party response has been received, raising the following points:
 - No need for more commercial facilities to be added to the already massive approved and waiting for approval ones.
 - Howes Lane is overflowing with traffic and it is a Lane so would not cope with more trucks running up and down it.

Barton Willmore in a letter dated 14/11/2016 on behalf of A2 Dominion have commented as follows:

- In principle, A2D support the phased implementation of the NW Bicester Masterplan. There is a need for a pragmatic approach to be taken in respect of the timing of key infrastructure, however this should not be at the expense of creating unacceptable impacts of traffic on the road network nor undermine the ability to provide the required infrastructure for the masterplan.
- Arcadis have reviewed the technical highway work on behalf of A2D and their view accords broadly with the objections of OCC in respect of the highways assessment. It is the view of Arcadis that the addendum has failed to present an appropriate design or to properly assess the likely impacts of the proposals. A number of detailed points relating to the way the proposed interim scheme has been assessed are raised.
- The submission identifies an impact upon Shakespeare Drive but fails to provide any mitigation. The assessment is silent as to the impact upon the Howes Lane/ Middleton Stoney Road/ Vendee Drive junction as well as measures to bring forward the improvements to the Banbury Road roundabout. These junctions are shown to be effected by the interim scheme to a greater extent than assessed by A2D as the traffic signal scheme displaces traffic elsewhere. It also makes no reference to the substandard nature of the existing Howes Lane and the impact the 1700 homes would have on this link.
- The scheme relies upon a signalised junction as an interim scheme with no provision for the realignment of Howes Lane and the removal of the constraint at Howes Lane/ Bucknell Road.
- The interim scheme proposed fails to make adequate provision for pedestrians and cyclists and would result in a detrimental impact upon the local road network.
- At early stages of the masterplan analysis, traffic signalised options were dismissed by Arcadis as not offering an improvement in capacity on the existing layout due to the constraints under the railway bridge.
- A2D would also question whether the scheme would be comprehensive and whether it would be consistent with the masterplan. Would it fetter or undermine the delivery of the masterplan in respect of the wider area of land identified in the masterplan including the proposals submitted by A2D.
- The application makes no provision for secondary education facilities within the master plan area. The master plan requires the provision of a secondary school to be provided on part of the land subject to application 14/01641/OUT. Permission has not been issued for that site and occupations within Himley Village would need to be restricted until such provision is made. OCC has suggested that Himley Village would be required to reserve a site for a secondary school. This would be inconsistent with the masterplan and would require a substantial amendment to the proposals.
- The Council must assure itself that the scheme can be implemented in a way that is consistent with the master plan, takes a comprehensive approach including access and circulation within the masterplan area and would not jeopardise nor fetter the implementation of the remainder of the masterplan scheme.
- The applications submitted on behalf of A2D are consistent with the adopted masterplan and provide for the timely provision of schools as well as the realignment of Howes Lane and the railway underpass. The applications benefit from a resolution to approve and negotiations are ongoing as to the terms of the various S106 agreements. The current proposal is for A2D to provide for the key infrastructure necessary to enable the implementation of the masterplan including not only the bridge and link but also the land for the new schools, energy and

waste provision. The developers of Himley Village and other parts of the masterplan area that are not under the control of A2D will be able to connect to and derive benefit from the key infrastructure but only on terms that prior to implementation they pay to the Council their fair contribution to the cost of that key infrastructure which will be reimbursed to A2D. The grant of permission for Himley Village without such enforceable arrangements in place would jeopardise the implementation of the masterplan.

Barton Willmore (on Behalf of A2 Dominion) have also provided a number of letters dated 06/02/2017 commenting upon the applicant's submissions of the 01/02/2017 and these are summarised as follows:

Regarding A2 Dominion's intentions with regard to delivery of Application 1 [LPA REF 14/01384/OUT], Application 2 [LPA REF 14/01641/OUT] AND Application 3 [LPA REF 14/01968/F]:

- The above referenced applications, inter alia, seek permission to develop some 3,500 new homes out of the local plan allocation of 6000 together with new schools, access and infrastructure. The Council has resolved to grant permission in respect of three of the applications, with the grant of permission dependent on the completion of the relevant S106 agreements.
- The continued development of the site is predicated upon the delivery of a new crossing or bridge below the railway.
- OCC have imposed a limitation of 900 homes across the entire masterplan area until the bridge and link are operational. Permission has been granted for the exemplar phase of 393 dwellings and construction is underway.
- The exemplar is to be built out as follows – Phase 1: first occupations April 2016 (90 dwellings), Phase 2: Construction underway 5 August 2016 (71 dwellings) and Phases 3/ 4: Construction to commence in December 2017 (232 dwellings).
- Work on the local centre has commenced with a forecast completion of 2020, whilst the new primary school has a completion forecast of Summer 2017.
- A2D intend to commence construction on the first phase of Application 1 in tandem with the continuing build out of the exemplar, enabling the expansion of the primary school and for these early phases to benefit from access to the local centre and the efficient and practical extension to the bus service.
- A drawing has been submitted showing the first phase of development providing 507 new homes, the first phase of the burial ground and the first phase of the water treatment centre.
- Assuming the timely grant of permission, A2D anticipates the submission of details pursuant to reserved matters later in 2017 with the commencement of works in January 2019 with first occupations in August 2019. The first phase is forecast for completion at the end of 2021.
- A2D's intention is to provide the site wide key infrastructure in a timely manner to enable the continued provision of new homes. Delivery of the railway underpass is anticipated Christmas 2019.

In response to the Alan Baxter Highway Technical reports, the following comments are made:

- Reference is made to the OCC objection to the scheme dated 09/01/2017 (summarised below).
- The additional submissions and OCC responses have been reviewed by Arcadis on behalf of A2D. Arcadis undertook the strategic assessment of the Masterplan as well as the transport assessments of the impacts of the various applications submitted on behalf of A2D including for 14/01968/F for the new bridge and spine road. This has been resolved to be granted and A2D are progressing the technical approval process with Network Rail.

- Arcadis agree with the conclusions of OCC and maintain their view as set out in the letter dated 14/11/2016 (summarised above).
- It would be useful to have sight of the draft heads of the agreement proposed by the applicants. They appear to rely upon delivery outside of the application site by others. That being the case, and in the event that the Council grants permission notwithstanding the objections of the highway authority, limitations will be required to restrict occupations and development as appropriate until such necessary infrastructure is provided or a mechanism is put in place for the contribution to be made towards wider infrastructure.
- The current proposal is for A2D to provide for the key infrastructure necessary to enable the implementation of the masterplan, including not only the bridge and link but also the land for the new schools, energy and waste provision. The developers of Himley Village and other parts of the master plan area that are not under the control of A2D will be able to connect to and derive benefit from the key infrastructure but only on terms that prior to implementation they pay to the Council their fair contribution to the cost of that key infrastructure, which will be reimbursed to A2D. The grant of permission for Himley Village without such enforceable arrangements in place would jeopardise the implementation of the masterplan.

In response to the submissions by Turley on behalf of the applications relating to housing delivery, the following comments are made:

- Turley seek to argue that due to delays in the rate of delivery at the Exemplar, and in the absence of the grant of permission for applications 1 - 14/01384/OUT and 2 - 14/01641/OUT, that there is 'headroom' in the 900 capacity agreed with OCC before the bridge and link is put in place. Put simply, if this capacity is allocated to A2D in respect of applications 1 and 2, A2D will not build quickly enough to maintain supply in advance of the bridge. The proposed solution is to allow 680 homes to come forward at Himley Village in advance of the bridge and link which can be fast tracked as they will be constructed in a modular form with a factory coming on stream, adjacent to the site (details of permission and construction not provided) which in order to be viable requires 680 dwellings.
- As referred to above, the current proposal for the construction of dwellings in advance of the bridge delivery is to achieve the first phase, beyond the exemplar, by the end of 2021. It is A2D's intention to build out the Exemplar and the first 507 on Application 1 in tandem.
- A2D have instructed Peter Brett Associates to progress the design and approval of the bridge through the GRIP process. A2D are working in partnership with OCC and CDC to conclude the process with Network Rail to facilitate the delivery of the tunnels within the masterplan. This work is at an advanced stage and is ongoing with an anticipated delivery of the tunnel for Christmas 2019.
- Subject to the satisfactory grant of permission (e.g. the apportionment of the 900 capacity to A2D), then A2D will not only seek to secure consent and funding for the bridge and link (and other elements of the key infrastructure) but will deliver as such in accordance with an agreed programme.
- The exemplar phase already benefits from permission without any restriction on occupations. Even if Turley were correct in their assumptions, the available capacity (on the basis of the 900 OCC dwelling threshold before the bridge is in place) is 507.
- The applicant's reliance upon modular construction is noted. It would be useful to see details for the construction/ fit out, consenting programme for the new factory as well as associated labour force and how this relates to the commencement of works. If this is material to the consideration of the application, then the permission will need to secure the use of such modular construction. It is argued that the apportionment of 680 dwellings pre-bridge is required to render the scheme

financially viable. If this is an enabling/ facilitating case, then viability information will be required.

- The transport impact assumptions are queried based upon the baseline situation and the modelling work that is undertaken. No assessment is made of impacts on junctions or links elsewhere beyond the Howes Lane/ Bucknell Road junction.
- It is unclear how suggesting that the situation would be satisfactory in 2019 given a different delivery profile is relevant, given that A2Dominion will be developing 900 homes between 2019 and 2021 prior to the link road.
- The technical note suggests there would be headroom in traffic capacity based on their analysis. However, the modelling work by Arcadis showed the junction to be over capacity with 900 homes and this situation was accepted by OCC as an interim solution, on the basis that it facilitates the delivery of the strategic link road improvements by A2 Dominion.
- The proposed phasing of 507 dwellings enables the logical build out of the development in accordance with the masterplan. This enables development to benefit from the proximity to the primary school and local centre provided under the terms of the Exemplar and the extension of that school. It also provides for a logical extension to the bus services and utilities and infrastructure.
- The short point in dispute is the apportionment of the 507 capacity in advance of the bridge.
- This has been agreed to be apportioned to A2D on the basis that A2D has the ability to fund and deliver. This remains the case and the phasing scheme submitted demonstrates that the full capacity will be delivered in advance of the bridge and maintain a logical and consistent flow of dwellings.
- Turley are silent as to any alternative mechanism to deliver the bridge and other elements of the key infrastructure relying simply upon a contribution to the costs.
- If the 507 capacity is not retained as agreed by Committee, to the benefit of A2 Dominion, then A2D will need to rely upon a similar approach. The result being that the bridge will not be progressed and development will stall at 900 across the master plan until such alternative arrangements are put in place by the Council.

5. Response to Consultation

Bicester Town Council: generally welcomes this application but has concerns regarding access on to the Middleton Stoney Road as there appears to be no access point from Himley Village on to the Middleton Stoney Road plus traffic building up in the area causing pressure on the roundabout at Vendee Drive and Howes Lane. The various classes of commercial units are welcomed but it must be ensured there will be no B8 buildings.

A further set of comments received confirm that Bicester Town Council has concerns that the signalling of the junction through the railway bridge on Bucknell Road will cause further congestion at busy times instead of alleviating traffic flows. The Town Council has concerns that this plan and the number of houses proposed is in conflict with the Local Plan, which restricts development to 900 houses prior to the realignment of Howes Lane complete with the railway underpass.

Middleton Stoney Parish Council: No objection to the proposed interim junction scheme. The Parish Council remain concerned as to the realignment of Lords Lane/ Howes Lane (as reported in the February 2016 committee report) and it is considered that this interim proposal may well become permanent. The Parish Council do object to the Middleton Stoney traffic calming proposals for the following reasons:

- The main access to the Himley Village site is on the Middleton Stoney road and so is bound to adversely affect the village. It would be inappropriate for development traffic to access the M40 through Middleton Stoney and so there should be a clear statement of intent that traffic from NW Bicester must access M40 J9 using Vendee Drive.
- There must be a routing agreement in place to ensure that HGV traffic to and from NW Bicester does not use the B430/ B4030 junction in Middleton Stoney.
- Vehicles often use the village as a diversion route and so mitigation measures for the village must recognise this fact to reduce the level of rat running, particularly HGVs. A northbound weight limits on the B430 for HGVs should be imposed.
- A study of traffic impacts should focus on a complete picture of all new developments in and around Bicester that are set out within the Cherwell Local Plan. The document seems to have adopted a piecemeal approach concentrating on the impact of the Himley Village development only.
- It is unclear what the kerb radii tightening is meant to achieve if it still ensures that HGVs can turn left to Oxford when approaching from Bicester on B4030. It is considered that the level of traffic turning left at this junction when approaching from Bicester is modest when compared to traffic which carries on towards Enstone on the B4030 or turns right towards J10 of the M40 on B430 and where kerb radii tightening would not achieve anything.
- The proposals for traffic calming and speed reduction are appreciated and it is considered that some are viable. However, the impact of traffic when considering the bigger picture of all development, means that it is necessary to consider a more comprehensive suite of measures than those proposed and the Parish wish to be involved with discussions with OCC. Local knowledge must be used alongside desktop modelling.

Chesterton Parish Council: Main concerns are the increase in traffic and the comment that 50% of trips by sustainable modes (cycling and buses) is laudable but will not be implemented in practice. This needs to be enforced, not simply agreed.

Cherwell District Council:

Ecology: The latest amendments (the addendum to the environmental statement) do not have an ecological aspect or reference to biodiversity therefore no further comments at this stage.

Landscape: Orchards need further consideration. Questions posed in relation to the pedestrian underpass rail crossing.

Environmental Protection: The findings of the Waterman report of October 2016 are agreed with relating to noise and there are no further comments over those already provided.

Waste and recycling: Sufficient provision for waste and recycling storage is required as well as a S106 agreement to secure contributions for waste infrastructure.

Oxfordshire County Council:

Strategic comments which provide a summary are provided below. Detailed comments are used to inform the assessment in this report and are available in full through the Council's website.

08/11/2016

This consultation response addresses the additional information submitted in October 2016 which proposes interim junction works and to bring forward the Himley development ahead of the tunnel and realigned road. All points raised in OCCs previous consultation responses dated 16 October 2015 and 20th May 2015 still apply, other than those addressed in the individual team responses within the document.

OCC has a transport objection to the developer's proposal to bring forward the entire development ahead of delivery of the strategic road link (Howes Lane Realignment) and tunnels under the railway. On the basis of the information submitted and on further technical work commissioned by OCC, no development at Himley Village should take place until the tunnel and realigned road are in place.

Specific transport reasons for objection are:

- Because of the methodology used to take account of traffic using unsuitable routes in the model such as Shakespeare Drive, the TA Addendum does not demonstrate that the interim mitigation proposed at the junction of Howes Lane/Bucknell Road/Lords Lane will be sufficient to avoid a severe impact at the junction by 2024 if the strategic infrastructure has not been delivered by then. OCC is also concerned over the longer term ability of the interim scheme to mitigate the development if the strategic infrastructure does not come forward.*
- Because of the level of detail of the design work carried out, the applicant has not fully demonstrated the feasibility of the scheme.*

Further transport concerns are as follows:

- Potential impact on the delivery of the key strategic infrastructure for NW Bicester.*
- The proposed interim scheme has weaknesses in terms of pedestrian/cycle provision which it may not be possible to overcome through further design; or, in addressing them, the capacity benefits may be eroded so that the scheme is ineffective.*
- Vehicle tracking issues mean that at best, adjustments could be required that would erode the additional capacity provided by the scheme, or that the scheme could be deemed unsafe even after the next stage of design, fail a technical audit and not be granted a S278 agreement.*
- Concern over deliverability of crucial key walking/cycling routes as they cross land outside the applicant's control*
- Concern over walking distances to facilities in advance of key on-site facilities being delivered.*
- Location of proposed bus turning area.*
- Inconsistency with the North West Bicester masterplan/Supplementary Planning Document, Cherwell Local Plan (Policy Bicester 1), and with the basis of decisions on other planning applications, particularly in relation to the triggers and phasing for site-wide infrastructure.*

If the Himley development were to go ahead early, additional Education requirements would be as follows:

- Earlier delivery of the primary school*
- A financial contribution will be required towards off-site temporary classrooms to provide early secondary school pupil places generated by the development (a temporary classroom for 30 pupils costs c. £0.25 million) would be required if this*

development is delivered ahead of the planned new secondary school within application 14/01641/OUT,

- Until it is confirmed that the planned secondary school within application 14/01641/OUT will be constructed, this development site will need to protect a fully serviced secondary school reserve site of 5 ha. The site must be free from encumbrances and delivered in accordance with Oxfordshire County Council requirements.*
- If the planned secondary school within application 14/01641/OUT is not constructed, this development will need to provide funding for a 600 place zero carbon secondary school, which is approximately £15,931,575 (1Q14).*

OCC Bicester Members also have the following concerns:

- Capacity issue with the use of existing Howes Lane: Members report that at times this road is already at capacity and would not be able to take additional traffic from the Himley development. If the Albion Land site were to come forward this would only exacerbate the capacity problem. The strategic infrastructure (tunnel and realigned road) should be in place before this development is allowed to proceed.*
- There should be a restriction on HGVs turning right onto the B4030*

10/11/2016

Based on the information submitted by the applicant and on further technical work commissioned by OCC, our overall assessment is that no development at Himley Village should take place until the tunnel and realigned road are in place.

With regard to theoretical modelling work alone, although there are inherent uncertainties in the level of background growth (which has been based on trajectories in the Annual Monitoring Report), we recognise that the additional work commissioned by OCC indicates that the proposed interim junction operates within acceptable capacity at 2019 with 485 dwellings at Himley Village (para 3.1.16 of the technical report appended to OCC's consultation response). However, after 2019 the junction is over capacity and at this stage there is no certainty that the realigned road and tunnel will be delivered by then. In these circumstances, the interim scheme could not be considered adequate to mitigate the impact of the development after 2019.

Additionally, the feasibility of the interim scheme (in terms of being both safe for all road users and providing sufficient traffic capacity) has not been fully demonstrated and OCC have serious doubts as to whether this will be possible. The scheme has weaknesses in terms of pedestrian/cycle provision which it may not be possible to overcome through further design; or, in addressing them, the capacity benefits may be eroded so that the scheme is ineffective.

OCC recommended that should the application be reported to Planning Committee (December 2016), it should be subject to a number of points requiring further work before planning permission is formally granted.

01/12/2016

The following comments were made on the basis of the a submission in November 2016 which included a general arrangement drawing, a TA Addendum response, drawing number 1665/75/300 and accompanying swept path analysis, which was prepared on the basis of a topographical survey, as requested, to determine whether the scheme was feasible. The topographical survey resulted in a need for changes to the layout, including increases in carriageway width to accommodate large vehicles. A number of concerns are raised and the considered view is that the interim scheme is not acceptable in highway safety terms for the following reasons:

- There is a pinch point in Howes Lane where the footway has been made only 800mm wide. This is too narrow and pedestrians would be hemmed in by the close boarded fence at the back of the footway. This is also on a bend and there is a risk of users meeting head on with consequent safety risk. This is also a barrier for disabled and some elderly pedestrians. This section of footway does not have a high footfall but it is the only access for pedestrians to the Avonbury Business Park.
- There are other changes which would be detrimental to pedestrian safety including the loss of a sort section of footway on the SW side of the Bucknell Road adjacent to the bridge abutment, the position of pedestrians crossing the junction, the lack of the full intervisibility zone.
- Concern over the position of traffic signal heads and signage.
- Concern over the vehicle tracking, which would interfere with the efficient movement of traffic at the junction and dilute the capacity benefits that the scheme may offer.
- Potential concern over pedestrian safety and possible damage to centre islands/ signal equipment and the bridge itself should vehicles have any kind of overhang.
- The carriageway is moved to within 700mm from the bridge abutment. At this point there is uncertainty over whether Network Rail would give permission for the kerblines to be so close to the bridge structure due to the risk of damage.
- If this design were to come forward as a S278 scheme, the Road Agreements team doubt that the Highway Authority would be able to give technical approval. Amendments to address the concerns would reduce the capacity of the junction.
- It is felt that whilst the scheme provides refuges at the signals to allow pedestrians to cross, the pinch points and loss of footway result in an overall deterioration in conditions for pedestrians. It not only causes safety concerns but is at odds with policy to encourage sustainable travel and Bicester's Healthy New Town ambitions.
- There is no identified need for safety improvements and so OCC does not have a duty to address safety concerns with the existing junction arrangement.
- The change to the design proposed via this submission would result in a reduction in capacity and require the modelling to be re-run.
- The revisions result in the carriageway and vehicle movements in close proximity to the garden fences of properties backing onto Howes Lane and the loss of some small trees.

15/12/2016

Concerns made under the following headings:

Pedestrian Facilities:

- Concern over the pinch point on Howes Lane in terms of pedestrian safety remains
- Concerns remain over the safety of pedestrians crossing Bucknell Road at the proposed crossing point; in particular west to east the new layout does not result in an improvement for pedestrians. There would be a restricted view of southbound Bucknell Road traffic until close to the kerb. It is agreed that the intervisibility zone to be provided appears to comply with standard. It is agreed that the scheme could create more gaps in the traffic for pedestrians to cross, however the introduction of signals (without pedestrian phases) will change driver behaviour and patterns of accelerating and decelerating, making movements less predictable to the pedestrian, who will not be able to see or make sense of the various signal phases. This could introduce hesitation or over confidence in pedestrian decision making, which could be particularly hazardous at this location due to there being no refuge.
- The report asserts that the proposed interim mitigation scheme represents an improvement over current conditions for pedestrians at the junctions. It is agreed that the introduction of refuges would provide some benefit to pedestrians, although as they are narrow, they do introduce the risk of overhanging pedestrians with bikes or

prams being clipped due to the tight tracking. Concerns about the crossing of Bucknell Road between Howes Lane and Lords Lane are reiterated.

- The overall view is that it is still considered that the scheme with the additional footway is detrimental to pedestrian safety.
- It is not agreed that OCC has a common law duty of care to address existing highway deficiencies. If OCC were to proceed to approve and essentially construct (authorised works by a developer would equate to highway authority construction) highway works of a deficient design, and an accident occurred, there may be grounds for a successful claim against the highway authority. It is for this reason that the Highway Authority are reluctant to agree to a scheme that, in their professional opinion, has a negative impact on road safety. The current layout operates safely with an exceptionally low number of reported injury accidents and there is no reason to suppose that intensification of use will lead to increased safety risk.

Signal equipment and traffic signs

- It is likely that the position of signs can be worked around in terms of fitting them into highway areas. OCC are not convinced by the reports assertion that footway widths could be increased to address the concerns.

Vehicle tracking issues

- The submitted report acknowledges that there are issues with tracking but concludes that there is scope and space within the limits of the public highway for further refinement of the layout to address these issues. OCC are not convinced and believe that the scheme could fail technical audit at S278 stage.
- The submission dismisses the problem of tracking issues for large vehicles passing one another, OCC consider that as this is an A classified road, in an area likely to experience significant construction traffic and general traffic growth, that large vehicles needing to pass one another will be a common occurrence. The scheme does increase carriageway space; however the signalisation would reduce the flexibility of drivers to negotiate the road space between themselves as they currently do.
- The proposal to use vehicle containment kerbs reinforces the fact that there could be issues with the design and that vehicles need to be constrained to prevent damage both to the highway and to other road users.
- It is not accepted that the risks identified would be mitigated by the low pedestrian footfall, which will in any case increase over time.

Increased proximity of carriageway to railway bridge

- The document states that the risk of bridge strikes due to the carriageway moving to a position only 700mm from the bridge structure would be mitigated by the use of containment kerbs. This would need approval from Network Rail and there is no suggestion that Network Rail have been consulted. The feasibility of the scheme could depend on this approval. The bridge has been struck in the recent past and Network Rail will be reluctant to approve anything that unacceptably increased the risk given the serious disruption it can cause to rail travel.

Lane Lengths

- The document acknowledges that the changed lane lengths in the new design could affect capacity but that the lane length can be reinstated to that of the previous design on Howes Lane whilst also providing the additional footway on the north side. Modelling would be required.
- The latest design has not been re-modelled in LinSig and the OCC traffic signals team have reviewed the design and found that there would be some slight changes needed to the LinSig parameters to reflect the differences in turning radii.

Impact on properties in Howes Lane

- The submission acknowledges that the interim scheme would bring vehicles closer to the existing gardens and fences that back onto Howes Lane. Noise, vibration and air quality impacts would need to be considered by the LPA. A noise impact assessment would be required at S278 stage. The changed way traffic moves through the junction could impact air quality.

Conclusion:

- *Overall, the proposed interim scheme has a negative impact on road safety*
- *Proposals have been made to address some of the deficiencies, but these would need to be demonstrated through a further iteration of the design.*
- *The concern over the crossing point under the bridge has not been addressed*
- *Assurance would be needed that Network Rail are content in principle with the scheme.*
- *OCC recommend that the above points are addressed prior to a planning decision being made. As it stands, given the constraints, we are still uncertain as to whether the scheme could be redesigned to meet S278 technical approval. Therefore if required by condition or obligation prior to occupation it may not be possible to discharge, thus preventing occupations from going ahead.*

09/01/2017

This consultation response updates OCC's response of 08 November 2016 which addresses the proposal for interim junction works and bringing forward the Himley development ahead of the tunnel and realigned road. All points raised in OCCs previous consultation responses dated 08 November 2016, 16 October 2015 and 20th May 2015 still apply, other than those addressed in the individual team responses within this document.

Additional information was received from the applicant on 21 December 2016 which sought to overcome concerns previously raised by OCC regarding the proposed mitigation scheme of traffic signalisation at the junction. In response to this information:

- OCC maintains its objection to the proposed interim scheme because the submission does not demonstrate that previously identified problems can be remedied. Space at the junction is so constrained that it would not pass a technical and safety audit and as a result the interim scheme is not feasible. Full details are set out in the Transport response below.
- With regard to road network capacity, advice from OCC's consultants is that the latest changes to the proposals would not have a significant impact on the capacity.
- OCC maintains the transport objection to the developer's proposal to bring forward the entire development ahead of delivery of the strategic road link (Howes Lane Realignment) and tunnels under the railway because this would result in a severe traffic impact at the Howes Lane/Bucknell Road/Lords Lane junction.
- OCC also wish to reiterate that it is critical that the tunnel and realigned road scheme are delivered and that the applicants are required to commit to paying their share of this strategic infrastructure.

OCC recommend that no development should take place before the road and tunnel are in place. However, if members of CDC's planning committee are minded to grant planning permission this should be subject to agreed phasing that is linked to the delivery of the road and tunnel.

03/02/2017 (in response to a technical note submitted on the 01/02/2017):

- OCC welcome that P3 Eco are now concentrating on the delivery of the tunnel and realigned road to unlock a key capacity constraint – the county council as Highways

Authority sees this as the critical piece of transport infrastructure that the NW Bicester masterplan area needs to deliver.

- OCC reiterate that the agreed trigger point for the critical infrastructure being required is 900 houses and 4 hectares of employment land. Based on their modelling work, which OCC have not fully signed off but which is in part based on the recently updated Bicester Transport Model, P3 Eco has shown that the traffic impact (in terms of numbers of vehicles) of this quantum of development, assuming all the housing to be north of the railway, would be greater in 2021 than in the original scenario of 2024 on which the trigger point was based. This makes it all the more important that we do not increase the trigger point overall.
- Placing a restriction on A2D to restrict them to less than 900 homes north of the railway including the exemplar site, would jeopardise their ability to secure the funds to deliver the strategic infrastructure (strategic link road and tunnel) which is vitally important for the whole of Bicester, and without which it would not be possible to deliver the NW Bicester strategic site.
- OCC support the principle that, subject to a S106 being in place that secures the funding for the tunnel and realigned road, the Himley Village planning application could take up any slack in the delivery of the 900 houses (although it is assumed that replacing employment delivery with further housing would not be a preference). We also accept that development south of the railway has a lesser impact on the critical junction than development to the north. However, the problem arises in recommending individual conditions which restrict the amount of development that can come forward before the tunnel: to protect against severe transport impact the caps should not add up to more than 900 homes plus 40% of employment, but for commercial reasons the developers need to demonstrate the possibility of delivering more, whether or not they actually could.
- Based on advice received from CDC regarding possible development trajectories for the NW Bicester application sites, we share the district council's view that there is likely to be considerable slack, and also that the Himley Village development would, in practice, be developed out more slowly than they claim it can be. Between an optimistic and a realistic scenario, there is significant risk that traffic flows at the critical junction would be higher than the 900 homes plus 40% of employment scenario, creating a temporary severe impact of congestion and unsuitable routing of until the tunnel is delivered. During this time there would be the additional burden of large volumes of construction traffic on the town, although we would seek wherever possible to route this away from the critical junction.
- Whilst allowing any development at Himley Village prior to the tunnel would mean an increase over the 900 trigger point, reducing the amount allowable at Himley Village to a lesser sum than 680 would go towards mitigating the risk. However, at the moment there are too many unknown factors to recommend what that lesser sum might be: we have no confirmed delivery date for the tunnel and no certainty of trajectories, which could vary considerably. It is worth pointing out that we have no evidence of delivery rates for modular housing.
- The Highway Authority needs to protect the road network and recommend a course of action that does not jeopardise the delivery of the critical infrastructure necessary for Bicester's transport network, so whilst we understand the benefits of bringing more employment to Bicester through a modular housing factory, we cannot recommend that 680 homes are permitted to be built at Himley Village prior to the tunnel.

Other External Consultees:

Historic England: The application should be determined in accordance with national and local policy guidance and on the basis of your specialist conservation advice.

Network Rail: No further comments to add to their original submission (summarised in the February 2016 report).

6. Relevant National and Local Planning Policy and Guidance

6.1 The range of relevant National and Local Policy and Guidance is provided at paragraphs 4.1-4.10 of the February 2016 Committee report. All documents and policies identified remain relevant, however there is one update as follows:

6.2 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.

7. Appraisal

7.1 As described, the full range of relevant considerations, as well as the appraisal of each matter is included within the February 2016 Committee report. This report therefore seeks to provide an update to Members in relation to the specific matters that were the reasons for deferring the consideration of the application in February 2016. In these terms, the relevant matters are:

- Transport and the deliverability of the proposal;
- Affordable Housing;
- Clarification over matters relating to bus stops, play areas, the response from Network Rail and the proposed sports pitches and associated facilities.

Transport and deliverability of the proposal

7.2 The first matter to be discussed in this report is the issue of transport. Before providing an overview of the proposed interim scheme and the issues surrounding this, Officers consider it necessary to provide an overview to Members of the position taken with regard to Transport considerations to date.

Background

7.3 As Members will be aware, there has been recognition for a number of years that there is a need 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.

- 7.4 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.
- 7.5 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.
- 7.6 A2 Dominion is the applicant for three applications across the masterplan site – 14/01384/OUT (2600 dwellings), 14/01641/OUT (900 dwellings) – both including associated infrastructure and 14/01968/F (for the realignment of Howes Lane and the tunnel). A2 Dominion also produced the Masterplan for the site and commissioned the technical reports that were used to establish the Masterplan. In relation to the highway infrastructure and tunnel, the planning application submitted by A2 Dominion has been negotiated, such that it now has a resolution to approve. In terms of the delivery of the tunnel and realigned road, A2 Dominion has sought funding through the Homes and Communities Agency. This would be in the form of a loan, of which A2 Dominion would look to share the cost of the provision across the NW Bicester development based upon the amount of residential development in each application (legal agreements would be required to secure the necessary contributions from other application sites to ensure their proportionate contribution to the infrastructure and to

enable A2 Dominion to take the risk in terms of taking out a loan). The provision of the tunnel also requires technical approval from Network Rail and this is known as the GRIP process. The GRIP process will also confirm the costs in terms of construction as well as the cost of what Network Rail term 'shared value' and the cost of any future liability that may be incurred as a result of a new structure under the railway line. The GRIP process has commenced and it is expected that Phase 1 will be complete Spring 2017 such that by then, costs will have been established, any issues with regard to the design will have been highlighted and greater certainty around when the tunnel could be delivered would be gained.

7.7 Based upon the above, Officers consider that there is a route to deliver the road and tunnel and that good progress has been made in moving this forward with Network Rail by A2 Dominion. Therefore, by allocating early development, within the identified capacity on application site 14/01348/OUT submitted by A2 Dominion, this would aid in supporting the delivery of the necessary highway infrastructure. Additionally, by restricting the 507 dwellings to be constructed adjacent to Elmsbrook, there would be advantages in terms of access to facilities, services and the transport links such as footway, cycle links and the bus service allowing the development to meet the policy requirements for being sustainable. Officers also understand that 507 dwellings in this location are deliverable. On this basis, Officers have worked to advise Committee that the available capacity, in terms of the number of dwellings available in advance of the highway infrastructure, would be most suitably accommodated on the application site north of the railway line (14/01384/OUT) providing progress is made in terms of the GRIP process so that development across the site is not stalled. For completeness, Officers have advised committee that some of the development on land to the south east of the site (the land set aside for employment purposes) (application 14/01675/OUT) could benefit from the trips allocated to the equivalent of 40% of the employment land. This application includes land that is critical for the delivery of the realigned Howes Lane. In addition this area of land is adjacent to the existing western edge of Bicester therefore the services and facilities to the west of Bicester are within a reasonable distance and therefore accessible by walking and cycling. Application 14/01675/OUT was refused at Planning Committee in June 2016 therefore the capacity identified that would be equivalent to the 40% of the employment land is not yet committed through a resolution to grant planning permission but should a scheme for employment development and/ or housing be approved on that site, Officers consider this would be appropriate for a level of that to proceed early given that site includes land required for the realigned road and which is close to the existing town as described. It has therefore been the case that development identified elsewhere, including the A2 Dominion applications (beyond the first 900 dwellings – including 393 at Elmsbrook) would be recommended to be controlled by Grampian conditions and/ or legal agreements to restrict development until such time that the road and tunnel are in place.

7.8 The applicant for Himley Village advises that the Hyder assessment using the SATURN model was based upon development across the entire Masterplan site with some of the 900 units south of the railway (408 units) and some to the north (494 units – including 393 units at the Exemplar). This forms the basis for the impact of the development on existing junctions. The applicant advises that based upon outputs from the Bicester SATURN model, development to the south of the railway introduces proportionately less traffic to the congested Howes Lane/ Bucknell Road junction than development to the north. The applicant therefore considers that positioning 900 homes to the north of the railway will have a greater impact upon the junction than has been modelled and that decisions have therefore been taken without the full impact

being known. Oxfordshire County Council however does not raise an objection in relation to the location of development agreed in advance of the road infrastructure, recognising the support that early development should bring to the delivery of the critical road infrastructure. Oxfordshire County Council have however accepted that development to the south of the railway would be likely to have less impact upon the junction due to less vehicles heading north through the route.

- 7.9 Overall, Oxfordshire County Council raised no objections to the Himley Village application when it was previously reported subject to conditions and completion of a satisfactory S106 agreement applicable to the application site and broader North West Bicester site. This is on the basis that development is restricted on the site by way of a Grampian condition until such time that the road and tunnel are in place given the robust position taken in relation to the limited available capacity in advance of the provision of this infrastructure. This position has now moved on as can be seen within the responses of Oxfordshire County Council as the Highway Authority summarised earlier in this report and explained in the following sections.
- 7.10 This position was reported at the February 2016 Committee and based upon the suggested use of a Grampian condition, Members deferred the application for further consideration as to the use of such a condition. The applicant is also aggrieved by the suggestion of a Grampian condition due to the restriction it would place on early delivery.

Interim scheme

- 7.11 Since the February 2016 Committee, matters have moved on further and specifically, the applicant has carried out detailed work in an attempt to respond to the capacity issues so as to allow development to commence on the Himley Village site whilst negotiations continue with Network Rail. In October 2016, the applicant formally submitted a proposal which involves the provision of an interim highway scheme at the Howes Lane/ Bucknell Road/ Lords Lane junction. The scheme would involve the removal of the Bucknell Road/ Lords Lane roundabout, the introduction of traffic signals to both the Howes Lane and Lords Lane junctions with Bucknell Road linked by a single signal phasing plan (albeit with no specific pedestrian phase), other associated alterations including the relocation of the existing Lords Lane junction to the north and its realignment to provide additional storage for vehicles between the Lords Lane and Howes Lane junctions. The proposal would also involve the introduction of footways, crossings and pedestrian refuges. A pedestrian footway link further along Howes Lane is also proposed to enable sustainable transport options at the early stages of the development, all be it that this link is outside of the applicant's control. The addendum includes an updated transport assessment to support the interim proposals, drawings showing the interim scheme and swept path analysis, a Stage 1 Road Safety Audit and detailed outputs from the modelling work. The submission purports to provide sufficient additional capacity to provide for the whole of the Himley Village site to be developed in advance of the provision of the permanent infrastructure. Following initial comments from the Highway Authority, there have been a number of further submissions from the applicant in the form of technical highway notes and responses from the Highway Authority, all of which are available in full via the Council's website.

Feasibility of the interim scheme at the Lords Lane/ Bucknell Road/ Howes Lane junction

- 7.12 The proposed interim scheme raises 2 issues; firstly whether there is sufficient width within the highway to provide the scheme in a form satisfactory to the highway authority and secondly how much additional capacity the scheme would release and over what period and how this relates to the number of additional dwellings that could be accommodated.
- 7.13 The applicant's initial submission showing a proposed interim highway scheme and an accompanying Stage 1 Road Safety Audit was assessed by the Highway Authority. The response advised that the level of detail of the design work carried out at that stage was not sufficient to demonstrate the feasibility of the scheme. A number of technical concerns were also raised, and further it was considered that in the process of these being resolved, there could be reductions in any such additional capacity that could be provided. The technical concerns relate predominantly to weaknesses in terms of pedestrian/ cycle provision and vehicle tracking due to issues around the carriageway space available resulting in narrow pavements and carriageway widths.
- 7.14 On the basis that the initial submission drawings had been based upon OS data, it was recommended that a topographical survey be undertaken to enable the proposed interim junction arrangements to be overlain in order to assess whether the scheme is feasible in terms of fitting within the space available within the highway.
- 7.15 The topographical survey was subsequently completed and used to inform a further iteration of the design, which responded to the topographical data and the issues, raised by both OCC and the Stage 1 RSA. This was further assessed by the Highway Authority and further detailed concerns were raised. Subsequently, there has been ongoing correspondence in the form of technical highway notes and responses from the Highway Authority which are detailed and available in full via the Council's website. Essentially the Highway Authority continue to object to the interim scheme advising that it would have an overall negative impact upon road safety and that OCC are not convinced that the scheme could achieve a technical S278 approval. Given this is a scheme within the existing public highway, a S278 is crucial and without this, the scheme could not progress.

Highway Capacity

- 7.16 Given the above, it is unclear whether there is an achievable interim highway scheme or, if there is, what capacity it is likely to provide given that any alterations to the scheme, in order to achieve technical S278 approval could reduce any additional capacity that is established.
- 7.17 The applicant has submitted a transport assessment to support the interim scheme (based upon the October 2016 submission). This models a level of development at NW Bicester (including the Exemplar, 507 dwellings on the application 1 site area – 14/01384/OUT, the whole of Himley Village – 1700 dwellings and a proportion of employment floor space) to test the impact of development at 2024. The addendum concludes that the junction remains within capacity with levels of queuing comparable to those agreed in the 900 home scenario and with allowance provided for an additional 1700 homes for no worsening in congestion. The report also suggests that the interim scheme would provide spare capacity for at least an additional 16% of traffic above the 2600 homes development scenario.
- 7.18 With regard to the level of capacity offered by the Interim Scheme, OCC have commissioned WYG to advise on the trigger point at which the interim scheme can no longer accommodate traffic growth in the area. The work concludes that the proposed interim scheme would not

work in 2024 with background growth plus the phased development at NW Bicester contrary to what the applicant's work suggests. The WYG assessment suggests that for the most likely background development scenario, the junction scheme operates within acceptable capacity at 2019 but is over capacity after this. The 2019 assumption is equivalent to 485 dwellings at Himley Village. It is therefore concluded that given the relatively short timescale that the interim scheme would be on the ground before alternative highway improvements would be required, it is considered that the interim scheme is unlikely to offer sufficient benefits to allow development to commence at Himley Village. OCC have also confirmed that changes required to the interim scheme to make it feasible, would likely reduce its capacity still further. OCC also raised concern in relation to the potential for vehicles re-routing onto less suitable cut through routes.

- 7.19 This work has however established that the critical year in terms of the capacity of the junction is 2019 based upon the tested scenario which includes 393 dwellings at the Exemplar, 507 dwellings on the application 1 site, 485 dwellings at Himley Village and development on the Albion Land site equivalent to 40% commercial movements as well as background development assumptions considered the most likely scenario by 2024. It is at this point that the junction would be over capacity if development is provided at the level predicted.

Environmental Statement

- 7.20 Due to the submission of updated information to support the application, the applicant has provided an addendum to the Environmental Statement. The addendum assessment finds that with regard to transport, the overall magnitude of the effects remains similar in the 2024 interim scenario and the completed mitigation scenario, once mitigation is taken into consideration. The likely residual effects of the 2024 Interim Scenario range from minor adverse to minor beneficial. The effects of the completed development scenario remain as set out in the 2014 ES due to no changes having been made. With regard to noise, the addendum finds that the change in road traffic noise levels for the 2024 interim scenario as a result of the proposed development is predicted to be comparable to those predicted for the completed development. With regard to air quality, the changes proposed would mean that the air quality effect of the development is insignificant. Overall, it can be concluded that the proposal to include an interim junction scheme does not result in significant environmental impacts over and above those identified for the completed development and which are to be mitigated for.
- 7.21 Notwithstanding the above conclusions reached by the applicant, OCC have raised some concern in relation to the level of congestion at the existing junction and the likely rat running that could result through less suitable routes and the ES does not reflect this. The ES addendum relates to the proposed interim scheme and as this scheme is not part of the current proposal (explained later in this report); the conclusions of the main ES remain relevant in relation to the scheme put before Members for consideration. Officers generally consider the conclusions of the ES to be adequate for the purpose of considering this application.

Capacity at the existing junction

- 7.22 Taking into account the continued objections of the Highway Authority in relation to the interim scheme, the applicant has looked at delivery rates in order to assess the likely level of development that will have occurred by the time the tunnel and road are in place (currently

assumed 2020 based on the tunnel being provided over the 2019 Christmas period). This work has looked at build out rates to determine whether the 900 homes agreed would have been constructed by 2019/20. Their work takes into account historic delivery rates at Elmsbrook, information submitted by Barton Willmore (on behalf of A2Dominion) in relation to delivery of the later phases of Elmsbrook, and assumptions have then been made for delivery of the 507 units and commercial development on the Albion Land site (based upon an optimistic and an alternative scenario).

- 7.23 The applicants have used their work around delivery to predict the level of traffic impact, at 2021, should all the development agreed in advance of the tunnel and road have been delivered to give an indication of the number of vehicles using the junction. This is referred to as the baseline scenario. They have then tested the assumed optimistic and alternative development scenarios (which assume a level of development of the 507 units and commercial development on the Albion Land site but not all of it) with the applicant's first proposed phase of 680 homes at Himley Village. They conclude that in the likely event that the baseline scenario is not achieved by 2019 due to a slower rate of delivery, that the provision of 680 homes at Himley Village would have a less serious traffic impact than the baseline scenario would result in. As such, it is concluded on behalf of the applicants that there is sufficient capacity available, based upon the likely delivery rates for a 680 home phase at Himley Village to be accommodated by the end of 2019.
- 7.24 Barton Willmore, on behalf of A2Dominion has commented upon the applicant's current submission and has provided an update in respect to the timescales for delivery that is currently anticipated by A2D. This is set out under section 4 of this report. Based on this, it is clear that A2D do not intend to commence construction of the 507 dwellings until the start of 2019. That being the case, it is highly unlikely that all 507 dwellings will have been delivered by the end of 2019 (in fact it is anticipated that the full 507 will be delivered by the end of 2021). On the basis that by that time the road and tunnel should have been delivered (on the basis of no unexpected delays), then it can be concluded that there is likely to be headroom within the scope of the 900 dwellings agreed in advance of the road and tunnel for some development at Himley Village.
- 7.25 Officers have also looked at build out rates taking into account the Council's latest AMR from December 2015 and the Trajectory to the Local Plan. Based upon delivery occurring at the rate that all developers have said, more than 900 dwellings could be in place, plus 40% of the employment land. However, Officers consider that the rate of delivery is likely to be optimistic across all the sites at NW Bicester, taking into account the time needed to prepare and service a site, the need for the completion of legal agreements, the demand for development (including commercial) and, in respect to Himley Village, the need to obtain planning permission for a factory, its construction and then the delivery of dwellings ready for occupation.
- 7.26 On this basis, Officers consider it is necessary to continue to allow A2Dominion the ability to deliver 507 dwellings to secure their commitment to the road and tunnel and it is possible that some development could emerge on the employment site, which would enable the delivery of the realigned road. However, what is clear is that delivery rates are unlikely to be such that all that development will have been delivered by the end of 2019. It is very difficult to model rates of housing delivery as many factors influence the rate at which building occurs. It is not possible to quantify exactly what level of development will have been provided, and thus what

level of capacity will be available. However evidence of historic rates of delivery can provide an indication of likely delivery.

Delivery

- 7.27 The ability of the applicant to deliver dwellings early is also an important consideration. There are a number of issues that relate to this and need further consideration as follows:
- 7.28 Firstly, the applicant is working with Consortium Partners to secure a modular factory for the production of modular homes to be utilised on Himley Village. The applicant's agent has advised that the Partner's decision as to whether to bring a factory to Bicester is subject to the securing of a resolution for the first two phases of 680 homes to be delivered prior to the strategic link road and tunnel becoming available in 2020/2021. Discussions are underway in connection with two potential sites for a factory. The intention is for the proposed factory to be made operational for the construction of the first homes to be completed at Himley Village during 2018. The applicant has confirmed that the modular homes are provided with full guarantees and are mortgageable.
- 7.29 Secondly, the applicant has confirmed that their interests in the application site land could be utilised quickly upon the grant of planning permission for development of the land and that utilities can be provided to the site with capacity having been reserved.
- 7.30 Thirdly, the applicant has confirmed that the general thrust of the S106 matters is agreed and that following committee, they would hope to move quickly to the completion of an agreement. This would include an appropriate and reasonable contribution to the strategic infrastructure. As discussed above, matters with Network Rail are progressing such that it is anticipated costs will be established, which is required in order to allow these to be built into the S106 for the site to allow for the completion of agreements during the course of 2017.
- 7.31 In the view of Officers there is, subject to a factory proposal being realised, a reasonable prospect of some development at Himley Village being deliverable in advance of the road and tunnel and before the end of 2019. In terms of timing, there will be significant work to be undertaken in drafting a legal agreement and then time to put together an Urban Design Framework, then Design Codes (including the necessary Design Review), and then latterly reserved matters applications, with the discharge of any necessary planning conditions all before development could commence on site. Site preparation and servicing would also be required prior to the commencement of the construction of dwellings. The implication of delivery at Himley Village in advance of the road and tunnel in highway terms is explained later in this report within the section titled 'Conclusion and recommendation in relation to Highway Matters'.

Sustainability of Himley Village

- 7.32 It is also necessary to consider how the early delivery of dwellings at Himley Village could be delivered in a sustainable way. The development could be the first development south of the railway line and due to its location, it would, in the short term, represent a disconnected parcel of development positioned at its closest point, approximately 350m from the existing edge of Bicester. The following paragraphs will therefore consider the sustainability of an early phase of development particularly with regard to walking and cycling connections and facilities on site.

- 7.33 The applicant proposes the early delivery of walking and cycling routes and has identified two key connections, which reflect links that would be required as part of the wider masterplan. The northern most link would be a traffic free walking and cycling route that would be delivered in Phase 1. Given that the existing Howes Lane would remain in use then there would be a requirement for a toucan crossing on Howes Lane to connect the new walking and cycling route with the existing town. The delivery of this route would require the agreement of the Thames Valley Police Authority who own the land at an earlier stage than predicted by the Masterplan. A second interim connection would be provided along the northern side of the Middleton Stoney Road in line with the Masterplan; however, this link may need to be delivered within the highway boundary in the absence of development on the Albion Land (commercial site) and would involve the existing ditch being culverted due to the restricted area available. This connection is also proposed to be delivered in Phase 1 and would also involve a crossing of Howes Lane to connect to the rest of the town.
- 7.34 The Highway Authority have raised some concern with regard to the deliverability of key walking and cycling routes due to them crossing land outside the applicant's control, as well as the distances between the site and existing facilities in advance of key on site facilities being delivered. Whilst concerns over deliverability are understood, it will be for the applicant to ensure that matters that are required to be delivered early and which will be sought and secured through the S106 agreement can be provided as required. The delivery of these matters would be linked to the occupation of dwellings and therefore occupations would be restricted in the event that the pedestrian/ cycle links could not be delivered. It is also important to note that the provision of toucan crossings over the existing Howes Lane would result in the need for the reduction in speed limit and the removal of vegetation to provide forward visibility.
- 7.35 The developer also proposes a bus strategy in the interim period, in advance of the development of the strategic link road and the proposed bus route that will eventually serve the area of the site to the south of the railway line. This strategy involves the provision of new bus stops on the Middleton Stoney Road to make use of the existing bus service 25A and the provision of a new bus route that would enter and exit the site from the Middleton Stoney Road in order to provide a bus service for new residents on the site itself at a frequency of a bus every 20 minutes initially. The Highway Authority has confirmed that this level of bus service would be required and that funding to support the service would be required and secured through the legal agreement.
- 7.36 The applicant plans, as part of their phase 1, to provide a range of day to day facilities to support the residents of the site. This includes the school, local shops, offices, health facilities, nursery, a veterinary surgery, hotel and the playing fields. The pub/ community centre are proposed during the second phase of development. This level of facilities was not envisaged on the Himley Village site in the NW Bicester masterplan which proposes a local centre adjacent to the realigned Howes Lane. This local centre forms part of application 14/01641/OUT. The provision of an additional local centre raises a concern that there may not be sufficient trade in the long term to support two local centres. In addition it is important that the centre does not attract uses away from the town centre, undermining its viability and vitality. It is therefore proposed to control the level of non-residential uses by way of planning condition 9, which sets an overall limit of 8,000sqm floor space for such uses of which none shall exceed the types of uses set out in the table within the condition (for example, retail must not exceed 700sqm floorspace).

7.37 The provision of facilities, services and walking and cycling routes is important to enable development on the site to be accommodated sustainably providing basic facilities to meet residents day to day needs without having to drive to other locations and also, where trips to Bicester are undertaken that there are attractive walking, cycling and public transport routes to encourage a modal shift to sustainable modes. This includes in the long term as well as the short term if development is provided at Himley Village in advance of other development. In the view of Officers, careful phasing of the delivery of supporting infrastructure is required in order to deliver what is required at the right time whilst also keeping the development viable. It is clear however that the early delivery of the matters indicated, could support the provision of sustainable development on Himley Village.

Conclusion and recommendation in relation to Highway Matters

- 7.38 Taking into account the above assessment, and taking into account likely delivery rates, the level of development that will be achieved by 2019, is unlikely to have exceeded the level agreed by the County Council prior to the delivery of the tunnel and road (900 homes and 40% of the employment land) and therefore, on this basis, the traffic impact will be less than predicted at that point. Although it must be noted that this could not be guaranteed if permissions had been granted. There is also greater certainty emerging with regard to the delivery of the tunnel and road, given the scheme is progressing through the GRIP process, which will allow costs to be established and track possession to be booked to allow delivery of the tunnel (restricted to a Christmas period and likely to be either Christmas 2019 or 2020). Further progression through the GRIP process to finalise costs is required in advance of the completion of legal agreements relating to this application and it is anticipated that by the time legal agreements are drafted, greater certainty over delivery for the road and tunnel, including the date for track possession will have been established.
- 7.39 In these terms, based on the 900 units and 40% employment floor space accepted by OCC, there is likely to be transport capacity available at the critical junction for some development at Himley Village that, in terms of impact, would not exceed the County Council's limit by 2019. The delivery of housing is an important consideration and priority for the Council and allowing a phased commencement of development at Himley Village would support housing delivery in the District and town. There is also the potential to support the provision of a factory in Bicester to allow for the production of modular housing and thus the delivery of housing at a faster pace than normally achieved. However Members should note that this application does not include the factory or guarantee its delivery and therefore this factor should be given only very limited weight in reaching a decision on this application.
- 7.40 The assessment above has also considered how an early phase of development at Himley Village could be sustainably accommodated. Officers are content that subject to suitable controls by way of planning conditions, legal obligations and careful phasing of the provision of infrastructure, that development could be accommodated on the site in a sustainable way.
- 7.41 As set out above, the applicant wishes to secure approval for 680 dwellings prior to the road and tunnel being delivered by the end of 2019. The most recent Highway Authority response does raise concern and reiterates the view that the cap of 900 homes plus 40% of the employment should not be exceeded, however the view is expressed that based upon the information available and likely development progress, that there is likely to be some slack in the delivery of housing that could be taken up by development on Himley Village. It is

confirmed that allowing any development at Himley Village prior to the tunnel would mean an increase over the 900 trigger point, reducing the amount allowable at Himley Village to a sum less than 680 would go towards mitigating the risk. OCC do not define what this lesser sum might be given the uncertainties at this stage.

- 7.42 It is therefore recommended that in the circumstance that the development at Himley Village progresses as quickly as predicted by the applicant and that delivery of development across the rest of the site progresses at a 'normal' pace, it is the view of Officers that a first phase of development of 500 homes could be accommodated on the site without a transport impact beyond that already accepted by 2019. This number sits below 680, which as the Highway Authority suggest would help to mitigate the risk, represents a first phase that could be provided by the applicant's intended factory and is just above the 485 dwellings that emerged from the WYG work referred to in paragraph 7.18 (albeit this related to the interim scheme – but if development does not progress as quickly as that work anticipated, provides an indication of the level of development that could be agreed in the view of Officers).
- 7.43 It is therefore the advice of Officers that clauses are built into the S106 agreement that would allow no more than 500 homes to be occupied on the Himley Village site in advance of the provision of the tunnel and road and it being opened to traffic. However, flexibility is also intended to be built in such that in the circumstances that 500 homes have been provided and occupied at Himley Village before the road and tunnel have been provided, but that there is a clear programme for its delivery, that a programme for the phased delivery of further dwellings at Himley Village, might be agreed. This might cover the circumstances which may occur if there is delay in the delivery of the road and tunnel but certainty over the time scales within which it would be provided or delay in the delivery of housing on other parts of the site.
- 7.44 The benefit of this approach is that greater certainty can be provided to the applicant in terms of the delivery of housing on this site, but that it is still fully linked to the delivery of the road and tunnel, which is critical. This also takes the form of a phased delivery of development, with a level of development allowed for in advance of the tunnel and road, which would take advantage of highway capacity thus avoiding severe highway impacts. Beyond the first phase of 500 dwellings, certainty over the provision of the tunnel and road will be required before development could progress further, again, to avoid severe highway impacts.
- 7.45 For the avoidance of doubt, given the inherent uncertainties with regard to the interim highway scheme, both in relation to whether such a scheme is feasible and the level of additional highway capacity it would actually provide, this proposal does not form part of the recommendation.
- 7.46 In the view of Officers, the likely delivery rates (although not guaranteed) across the site could allow for the phased commencement of development at Himley Village in advance of the road and tunnel and providing that this can be delivered by 2019, this would assist in the delivery of housing on an allocated site. As such, it is recommended that the commencement of development be carefully controlled and phased relating to the delivery of the tunnel and road but that a restricted number of 500 homes could be delivered in advance of the infrastructure. Officers would advise however that this position does not remove the commitment to A2 Dominion benefitting from 507 units so as to ensure that their commitment to deliver the strategic infrastructure is not affected. It is also advised that this level of development would also be additional to a level of development equivalent to 40% of the commercial land. There

is a risk that if for any reason the road and tunnel were delayed or build out rates increased beyond those normally achieved, that the 900 dwelling threshold accepted by OCC could be exceeded. This risk relates to increased congestion at the junction and the potential diversion of traffic onto less suitable routes within the area. On balance it is considered that the potential benefits in terms of housing delivery outweigh the risk taking into account anticipated delivery rates.

Affordable Housing

- 7.47 Affordable Housing is discussed at paragraphs 5.43-5.49 of the February 2016 Committee report. The Local Policy requirements as well as the Framework advice are provided. The assessment detailed the discussions that had been undertaken between the applicant and Council Officers at the time with regard to the provision of affordable housing as a 'Rent to Buy' product. The report discussed Officer concerns with this approach and Members were similarly concerned with this approach to the provision of affordable housing. Officers were subsequently advised that the offer of Rent Plus providing affordable housing as the rent to buy model was provided as an option rather than a proposal.
- 7.48 Since the February 2016 Committee, Officers have discussed the affordable housing provision with the applicant. The response received is that the applicant would intend to provide affordable housing in line with the Council's Policy requirement set out at Policy BSC3 and therefore represent a 30% provision (split between 70% affordable/ social rent and 30% as other forms of intermediate housing). Officers would therefore seek to secure this provision by way of the S106 agreement reflecting the Council's normal approach, providing the scheme is viable. The provision of affordable housing is therefore a significant benefit of the scheme. It is noted that the original comments from the Strategic Housing Team (outlined at para 3.9 of the February 2016 committee report) set out the requirements for the provision of affordable housing and that the approach now to be secured through the S106 will meet the requirements set out.

Clarification over matters relating to bus stops, play areas, the response from Network Rail and the proposed sports pitches and associated facilities

- 7.49 With regard to bus stops, additional information has been provided by the applicant as part of their interim proposals indicating the provision of bus stops along the Middleton Stoney Road and within the site in the event that development commences in advance of the permanent bus service serving the southern part of the NW Bicester masterplan site. The proposed final bus route is also indicated showing that the interim bus route can be adapted into the final route. Officers are satisfied that the provision for bus services in principle can be accommodated from an early stage, both if development commences at Himley Village in advance of other development south of the railway and in the long term. It is proposed that bus services be secured through the S106 agreement to secure an appropriate service to ensure that targets around modal shift can be met.
- 7.50 With regard to play areas, at the February 2016 committee, Members raised concern with the type of play areas provided. The desire is for larger play spaces to be provided rather than lots of small areas. The applicant's Landscape Parameter plan indicates the provision of 7 play spaces distributed through the site. It would be the intention of Officers to secure play throughout the site (potentially unequipped) to be accessible space for smaller children (the

Council's SPD indicates that a LAP, suitable for toddlers be provided within 400m/ a 5 minute walk from each home) and additionally, given the requirement for 40% Green Infrastructure across the site, green spaces will be distributed through the site, which will also aid in creating an open, landscaped environment.

- 7.51 The application was also deferred taking into account the Network Rail response set out in the February 2016 report. The response from Network Rail refers to the construction of the underpasses and recommends conditions relating to development close to the railway boundary. The Himley Village development is situated away from the railway boundary and no part of its construction would be within proximity to the railway. The suggested detailed planning conditions are not therefore recommended. Additionally, with regard to the construction of the underpasses, these fall to be delivered by a third party – A2 Dominion, with the applicant for Himley Village required to contribute to the delivery of this infrastructure. This will be secured through the appropriate S106 for the site.
- 7.52 The proposal sets aside land for sports pitches to serve the wider development across the NW masterplan site. As referred to within the February 2016 report, the Masterplan identifies the need for the pitches to be in one location in order to enable higher standard provision and to facilitate long term management and maintenance. The intention is for the land and contributions to be secured from this site and others through the S106 agreements to enable the Council to deliver the pitches. In these terms, the suggested conditions of Sport England are unlikely to be required as the applicant could not comply with them; however this requires some further discussion with Sport England to allow their objection to be removed and to satisfy them of the mechanism to secure the provision of the pitches. Additionally, Members expressed concern with regard to the need for a pavilion. The Masterplan proposal is for a pavilion to be provided as part of the A2 Dominion application (14/01641/OUT) adjacent to the sports pitches and the approved parameter plans for that application demonstrate where this provision is proposed. Like the proposals for the pitches, the intention for the pavilion is for serviced land to be provided to the District Council, with contributions secured via the applications south of the railway line towards the provision of the pavilion. In this regard, Officers advise Members that the provision of pitches and a pavilion will be secured through the necessary legal agreements.

Other implications if the Himley Village Development were to commence in advance of the strategic link road

- 7.53 As referred to by Oxfordshire County Council, should development at Himley Village progress in advance of other development, there is likely to be additional education requirements in the form of the timing of the delivery of the primary school on site (coming in an early phase), potential need for additional contributions towards off site secondary school temporary classrooms, the need for this development to provide a reserve 5ha secondary school site and funding towards its provision (until it is confirmed that the planned secondary school within application 14/01641/OUT will be constructed – in a timely manner to meet the needs of the development).
- 7.54 There have also been other identified matters that may require earlier/ additional provision on the Himley Village site if the development were to commence quickly and in advance of other development across the Masterplan site. This includes a reserve site for a GP surgery, the

provision of the sports pavilion on this site (instead of on the application 14/01641/OUT site) as well as the phasing of open space, play provision and allotments.

- 7.55 The timing of offsite highway works, provision of bus services and infrastructure and the payment of contributions towards Highway matters are all also likely to be required earlier than otherwise anticipated and will need to be secured. It is also worth highlighting that the applicant continues to be required to pay their proportionate contribution to the key NW site wide infrastructure scheme.
- 7.56 These matters are proposed to be secured through the legal agreement and Officers intend to commence these negotiations should the application receive a positive recommendation at committee. Officers have commenced consideration of the timing of such matters; however this will require further work in order to secure a S106 legal agreement that secures the appropriate infrastructure and contributions at the right time according to the phasing of the development.

8. Planning Balance and Conclusion

- 8.1 This report aims to provide an update to Members in respect to development at Himley Village, originally reported to Planning Committee in February 2016. At that time, the report advised Members that in the long term, development at Himley Village would be acceptable, sustainable and in compliance with Planning Policy and the NW Bicester Masterplan. It did however suggest to Members that in advance of the provision of the key infrastructure (tunnel and road), that development should not commence on the Himley Village site on the basis that this, along with other development would result in a severe transport impact. It has always been concluded that allowing a limited level of development elsewhere across the site that would be linked to supporting the delivery of the key infrastructure, that this in turn would open the site up for development with no major highway constraint.
- 8.2 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.
- 8.3 The provision of housing across the site is an important consideration, albeit, this cannot be at the expense of causing an unacceptable highway impact. Oxfordshire County Council have been very clear as to an appropriate level of development that could be accommodated in advance of that key infrastructure (900 homes and 40% employment floor space).
- 8.4 The applicant has however sought to demonstrate that taking into account delivery rates; it is unlikely that the capacity agreed by Oxfordshire County Council will have been reached. Officers would agree with this sentiment given the information available and likely delivery rates across the sites at NW Bicester. As such, Officers advise that there is likely to be some headroom available in order to allow the commencement of some development at Himley Village in advance of the key infrastructure without breaching the agreed threshold. Officers have concluded that this should be limited to 500 dwellings as explained above. Notwithstanding this conclusion, it must be borne in mind that development at Himley Village itself may progress slower than anticipated given the work required following a resolution

before development could commence on site. Based on the applicant's programme however and their intentions with regard to a factory (albeit which is not proposed to be secured through this permission), it is possible that development could commence at Himley Village resulting in occupied homes prior to the end of 2019 and delivery of the road and tunnel.

- 8.5 In the circumstances, Officers recommend that development at Himley Village be approved subject to clauses to be built into the legal agreement with regard to the delivery of development and phasing. This would allow a limited level of development at the site in advance of the key infrastructure, allowing the commencement of house building on the site with there being no restriction once the key infrastructure is delivered. Officers also recommend that suitable S106 clauses will be required in relation to the delivery of infrastructure, services and facilities to support the site and the early delivery of development given its isolated nature in advance of other development. On this basis, the application is recommended for approval as set out below.

9. Recommendation

Approval; subject to:

- Finalisation of a programme that has been received by the local authority, agreed and supported by Network Rail, that provides confirmation that the proposed road and tunnels under the railway at NW Bicester can be provided 2019/2020 prior to the issue of the planning permission.
- The following set of conditions with delegation provided to the Head of Public Protection and Development Management to negotiate final amendments to the wording of conditions following a detailed review by Officers;
- The completion of a legal agreement in accordance with the attached Heads of Terms (at appendix B), including delegation provided to Officers to negotiate the agreement, including the following requirement with regard to phasing;
 1. No more than 500 dwellings shall commence and be occupied until either;
 - a) The realigned Howes Lane and tunnel under the railway (as permitted under application 14/01968/F or such other application for the road and tunnel that has been approved) has been provided and is open to all traffic or;
 - b) The realigned Howes Lane and tunnel under the railway (as permitted under application 14/01968/F or such other application for the road and tunnel that has been approved) is subject to all necessary consents and approvals, such that there is certainty over the programme for its delivery and agreement is in place between the applicant and Cherwell District Council as to the phasing of the remaining 1200 dwellings and associated infrastructure the subject of application 14/02121/OUT

Conditions

Time Limits

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

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country

Planning (General Development Procedure) Order 2015 (as amended).

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

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

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

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2015 (as amended).

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

Reason - This permission is in outline only and is granted to comply with the provisions of Section 92 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004, and Article 5(1) of the Town and Country Planning (General Development Procedure) Order 2010 (as amended).

5. Except where otherwise stipulated by condition, the development shall be carried out in broad accordance with the following plans and documents:

- Site Boundary Parameter Plan 1 (drawing number 592-PL-101 Rev B);
- Demolitions Parameter Plan 2 (drawing number 592-PL-102 Rev B);
- Land Use Parameter Plan 4 (drawing number 592-PL-103 Rev E);
- Building Heights Parameter Plan 5 (drawing number 592-PL-104 Rev D);
- Density Parameter Plan 6 (drawing number 592-PL-105 Rev D);
- Landscape Parameter Plan 3 (drawing number 592-PL-106 Rev C);
- Movement and Access Parameter Plan (drawing number 1665/75/04);
- SUDs Parameter Plan (drawing number 1665/75/05 Rev B);
- Document titled 'Storage Attenuation Volumes of Primary Swales (1665/76) dated July 2015;
- Tree Survey Report – document reference EED14995-100-R-7-1-3-TA dated January 2015 and accompanying appendices;
- Sustainability and Energy Statement – document reference PENL2003 dated 17 December 2014
- Surface Water Drainage Strategy and Flood Risk Assessment dated December 2014 and all additional correspondence relating to Drainage and Flood Risk.

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

6. Prior to the submission of the first reserved matters application, a phasing plan covering the

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

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

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

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

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

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

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

Table 1

Land Use	Maximum GIA (sqm)
Hotel (Class C1)	2,600sqm
Veterinary surgery (Class D1)	2,000sqm
Pub/ Community (Classes A4/ D1)	400sqm
Retail (Classes A1, A2, A3, A4, A5)	700sqm
Office (Class B1)	1,000sqm
Health facility (Class D1)	1,500sqm
Nursery (Class D1)	100sqm
Energy Centre (Sui Generis)	375sqm
Water treatment plant (Sui Generis)	450sqm

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

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

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

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

Design

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

No reserved matters shall be submitted until the urban design framework has been approved in writing by the Local Planning Authority. All reserved matters applications and development shall thereafter be in accordance with the approved Urban Design Framework.

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

12. Prior to the submission of the first reserved matters application, a detailed masterplan for the area fronting the Middleton Stoney Road annotated as 'Other Uses' on Land Use Parameter Plan 4 drawing number 592-PL-103 Rev E, shall be submitted to and approved in writing by the Local Planning Authority. Reserved Matter applications for the area covered by the Masterplan shall be in accordance with the approved Masterplan. The masterplan shall show the location of each of the land uses, access and parking locations, key frontage and public space conditions and landscape principles.

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

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

- Highway design details
- Parking Strategy

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

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

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

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

15. In accordance with the parameter plans hereby approved, the following shall be provided:
- A 20m Green Infrastructure strip (which shall not include residential gardens) shall be provided to the west of the boundary with Lovelynch House;
 - A 20m 'no build' buffer shall be provided to the north of the boundary with Lovelynch House;
 - A 30m 'no build' buffer (narrowing to a 20m along the northern section of the eastern boundary) shall be provided to the east of the boundary with Lovelynch House. This buffer shall include a 10m hedgerow buffer.

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

Dwellings

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

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

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

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

18. Each reserved matters application shall be accompanied by a statement setting out how the design of buildings and the layout has taken account of future climate impacts, as identified

in TSB research 'Future Climate Change Risks for NW Bicester', or any more recent assessment that has been published, and how the proposed development will be resilient to overheating, changing rainfall patterns and higher intensity storm events.

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

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

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

20. Noise levels from any mechanical plant and the energy centre shall not exceed the noise emission limits contained within table 10.15 of the Environmental Statement. Any reserved matters submission for the energy centre or for development that will include mechanical plant shall include details of how the noise emission limits for that development will be met.

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

Phase conditions

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

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

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

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

Transport

23. Each reserved matters application shall include full details of the means of vehicular accesses between the land and the highway, including, position, layout, construction, drainage and vision splays. Thereafter, the means of access shall be constructed and retained in accordance with the approved details.

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

24. Each reserved matters application shall include full details of the means of footway and

cycleway links between the land and the local highway network, including, position, layout, construction, drainage and street lighting. Thereafter, the means of footway and cycleway links shall be constructed and retained in accordance with the approved details.

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

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

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

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

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

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

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

Contamination

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

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

29. If a potential risk from contamination is identified as a result of the work carried out under condition [28], prior to the commencement of the development hereby permitted, a comprehensive intrusive investigation in order to characterise the type, nature and extent of

contamination present, the risks to receptors and to inform the remediation strategy proposals shall be documented as a report undertaken by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place unless the Local Planning Authority has given its written approval that it is satisfied that the risk from contamination has been adequately characterised as required by this condition.

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

30. If contamination is found by undertaking the work carried out under condition [29], prior to the commencement of the development hereby permitted, a scheme of remediation and/or monitoring to ensure the site is suitable for its proposed use shall be prepared by a competent person and in accordance with DEFRA and the Environment Agency's 'Model Procedures for the Management of Land Contamination, CLR 11' and submitted to and approved in writing by the Local Planning Authority. No development shall take place until the Local Planning Authority has given its written approval of the scheme of remediation and/or monitoring required by this condition.

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

31. If remedial works have been identified in condition [30], the development shall not be occupied until the remedial works have been carried out in accordance with the scheme approved under condition [30]. A verification report that demonstrates the effectiveness of the remediation carried out must be submitted to and approved in writing by the Local Planning Authority.

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

32. Piling or any other foundation designs using penetrative methods within any area identified as being subject to risk from contamination shall not be permitted other than with the express written consent of the Local Planning Authority, which may be given for those parts of the site where it has been demonstrated that there is no resultant unacceptable risk to groundwater quality. The development shall be carried out in accordance with the approved details.

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

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

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

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

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

Biodiversity

35. No development shall commence on a phase unless or until an up to date ecological survey has been undertaken to establish changes in the presence, abundance and impact on bio diversity within that phase. The survey results, together with any necessary changes to the mitigation plan or method statement shall be submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall be carried out in accordance with the approved details.

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

43. No development shall commence on a phase until a Soil Resources Plan that details the soils present, proposed storage locations, handling methods and locations for reuse, within that phase, shall be submitted to and approved in writing by the local planning authority and

thereafter the development shall be carried out in accordance with the approved plan.

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

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

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

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

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

Archaeology

46. Prior to any demolition on the site, the commencement of the development and any archaeological investigation, a professional archaeological organisation acceptable to the Local Planning Authority shall prepare a first stage archaeological Written Scheme of Investigation, relating to the application area, which shall be submitted to and approved in writing by the Local Planning Authority.

Reason - To safeguard the recording and inspection of matters of archaeological importance on the site in accordance with Government guidance contained within the National Planning Policy Framework

47. Prior to any demolition on the site (other than in accordance with the agreed Written Scheme of Investigation) and prior to the commencement of the development and following the approval of the first stage Written Scheme of Investigation referred to in condition [46], a programme of archaeological evaluation, investigation and recording of the application area shall be carried out by the commissioned archaeological organisation in accordance with the approved first stage Written Scheme of Investigation.

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

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

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

other than in accordance with the approved details.

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

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

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

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

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

Drainage

51. Prior to the commencement of development impact studies of the existing water supply infrastructure shall be submitted to, and approved in writing by, the local planning authority (in consultation with Thames Water). The studies should determine the magnitude of any new additional capacity required in the system and a suitable connection point.

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

52. Prior to the commencement of the development, a foul drainage strategy for conveyance and treatment, detailing any on and/or off site drainage works, shall be submitted to and approved by the local planning authority. No discharge of foul or surface water from the site shall be accepted into the public system until the drainage works referred to in the strategy have been completed. No dwelling shall be occupied until the foul drainage has been provided in accordance with the approved strategy.

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

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

Reason - To mitigate the risk of surface water flooding, protect water quality and biodiversity on the site and to protect the adjacent railway in accordance with Government guidance

contained within the Eco Town PPS and the National Planning Policy Framework

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

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

55. The development shall be constructed so as to achieve a demand for potable water that does not exceed 110 l/p/d and details of measures to be used to achieve this demand shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of each phase. The development shall be carried out in accordance with the details so approved.

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

56. Prior to the commencement of the development, details of the strategy to work towards water neutrality, in accordance with the Eco Towns PPS shall be submitted to and approved in writing by the Local Planning Authority. Each reserved matters application shall demonstrate how it meets the approved strategy.

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

Employment

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

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

Waste

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

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

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

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

Notes to Applicants

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

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