

Application 10/01381/OUT	No:	Ward: Ambrosden and Chesterton	Date 21/09/2010	Valid:
Applicant:	Countryside Properties (Bicester) Ltd			
Site Address:	Land South West of Bicester adjoining Oxford Road and Middleton Stoney Road, Bicester			

Proposal: Outline – Construction of up to 46 dwellings with associated amenity space, car parking, access roads and public open space.

1. Site Description and Proposal

- 1.1 The application site comprises 1.4ha within the wider 116ha S.W. Bicester development site which was granted consent for mixed use development including 1585 houses in 2008 under application number 06/00967/OUT. The site is roughly triangular in shape and comprises undeveloped agricultural land, although it has not been used for such purposes for some time.
- 1.2 The site is approximately 0.3km from the current southern boundary of Bicester, which is defined by Middleton Stoney Road. The village of Chesterton lies approximately 0.8km to the south west of the site. A triangular copse just to the north will be retained. The site is flat and there are no trees or any other features within the site itself. The buildings of Whitelands Farm lie immediately to the south.
- 1.3 The site will be accessed via the new internal main principle spine road. This site was originally allocated within the larger S.W. Bicester development as a reserve school site for a second primary school should it be required. This application therefore now seeks consent for the site to be developed for residential purposes and illustrative schemes submitted with the application identify that it can accommodate up to 46 units. Reserved matter applications have been approved for the initial infrastructure proposals to enable development to commence on the wider S.W. Bicester site. The drainage has been installed and the first section of the spine road is currently under construction.

2. Application Publicity

- 2.1 The application was advertised by way of site notices, a notice in the local press and neighbour notification letters. As a result of the above publicity, 1 letter of objection has been received from a resident in Tubbs Close whose concerns relate to increased pollution levels including traffic, noise, light, domestic vermin and crime and loss of panoramic views over the English countryside, and fails to understand why the already plentifully concreted land at RAF Bicester has to be preserved intact in glorification of war while the country itself and all that it symbolised has to be sacrificed to developers, in mockery of those who lost their lives in its defence.

3. Consultations

- 3.1 Chesterton Parish Council raise no objections
- 3.2 Bicester Town Council has no objections

- 3.3 Highways Authority raise no objections and considers that the Traffic Assessment as submitted which demonstrates that the expected minor increase in traffic movements is unlikely to have adverse effects upon the operation of local junctions is reasonable.
The layout should accord with the standards within the approved Design Code and a tracking plan will need to demonstrate that refuse vehicles can turn within the site. A financial contribution towards the Bicester Transport Strategy will be required, as too will a contribution towards rail upgrade.
A number of conditions are recommended should planning consent be forthcoming.
- 3.4 Thames Water advise in respect of surface water drainage that the developer must ensure that proper provision is made for drainage to ground water courses or a suitable sewer, and recommends an informative be attached advising that Thames Water will aim to provide customers regarding water pressure etc. This proposal is acceptable on the condition that this site is connected with proposals for the adjacent Whitelands Farm development. No surface water systems to be adopted by Thames Water. Any on site foul sewers required for adoption will require specific agreement with Thames Water Development Services.
- 3.5 Environment Agency has no objections, but recommends a number of conditions.
- 3.6 Oxfordshire County Council – Developer Funding seek see 106 Contributions in relation to infrastructure requirements for schools, education, Library, Day Resource Centre for the elderly, strategic waste, museum, adult learning, fire and rescue together with an administration fee.
- 3.7 Cherwell District Council – a number of internal consultees have requested Section 106 contributions for infrastructure provision Sec 106 requirements include informal open space provision, LAP provision, 30% affordable housing, i.e. 13 units and public art.
- 3.8 Cherwell District Council – Chief Engineer advises that all highway and drainage work should conform to the infrastructure master plan. Porous paving required for all roads and drawings. All sustainable drainage to be adopted by OCC. OCC should be consulted for specifications and commuted sums payable.
- 3.9 Cherwell District Council – Landscape Architect raises no objections subject to the provision of appropriate open space and play space and that the adjacent woodland and calcareous grassland are appropriately protected, and Sec 106 contributions in respect of open space and play provision.
- 3.10 Cherwell District Council –Biodiversity and Countryside Officer has requested that consideration be given to the incorporation of bird habitat into the development.
- 3.11 Cherwell District Council – Head of Planning Policy and Economic Development advises that this application site is 1.4ha of agricultural land within the site of the S.W. Bicester urban extension allocated in the Non-Statutory Cherwell Local Plan 2011 and granted outline permission (06/00967/OUT) in June 2008. The 46 dwellings would be additional to the 1585 already permitted.
Provided it has been confirmed by OCC that this second primary school site is no longer required to accommodate the permitted urban extension, there is no policy objection to the proposal in the interests of making effective and efficient use of land within a site already approved for an urban extension.
This site is also included in the District's 5 year land supply as a deliverable housing site. This in itself carries no policy weight but the loss of the site as a residential development could undermine the districts housing land supply position.

- 3.12 Cherwell District Council – Urban Design raises no objection. The site is not covered by the Design Code for the rest of the Kingsmere Development but the accompanying Design and Access Statement draws material from the approved code to explain and justify the proposals. It does so adequately and consistently. The illustrative layout adequately demonstrates that 46 units can be accommodated on the site.

4. Relevant Planning Policies

- 4.1 Policy H 13 of the Non-Statutory Cherwell Local Plan identifies this site as part of the S.W. Bicester urban extension as a mixed use development to include up to 1585 dwellings
- 4.2 Policy C28 of the Adopted Cherwell Local Plan seeks to exercise control over all new development to ensure standards of design are sympathetic to the character of its context.
Policy C30 relates to housing development and seeks to ensure that it is compatible with existing dwellings in the vicinity of the site.
Policy H5 seeks affordable housing provision on substantial new residential schemes where there is a need.
- 4.3 Policies CC1, CC4 and CC6 of the South East Plan are relevant in seeking sustainable development and high quality design.
Policy CO3 of the South East Plan promoted Bicester as a main location for housing development.
Policy NRM4 seeks the incorporation of SUDS within all new developments
- 4.4 PPS1 ‘Delivering Sustainable Development’
PPS3 ‘Housing’
PPS9 ‘Biodiversity’
PPG13 ‘Transport’

5. Appraisal

- 5.1 The main issues for consideration include, the principle of the development, the need for the reserve school site, access and traffic, ecology and landscape impact.
- 5.2 Principle of Development
As previously stated, this site was part of the original development proposed for S.W. Bicester which was granted outline planning permission in June 2008 under application number 06/00967/OUT. This particular site at that time was identified as a reserve primary school site should it be needed to serve this new urban extension. The site is therefore included within that allocated within Policy H13 of the Non-Statutory Cherwell Local Plan. The development of this site is reliant upon the wider S.W. Bicester development being progress to provide the access network and utilities.
The proposal which seeks consent for the erection of up to 46 dwellings therefore within the limits of the above urban extension is acceptable in principle and does not result in any further encroachment into the open countryside. The development of 46 dwellings results in a density of approximately 33 dwellings per hectare. This accords with the range of densities across the site and this area of the development which is most appropriately located within the Avenue Character Area of Kingsmere Development.

HDC & MD therefore considers that subject to all other material planning considerations, the proposal is acceptable in principle and accords with the principle of development as set out in the policies above.

5.3 Loss of Second Primary School Site

During the initial consideration and allocation of the S.W. Bicester site for development in the Non-Statutory Cherwell Local Plan it was indicated that there may be a need for two primary schools to be provided to serve the new development and any other shortfall within the town. The site in question was therefore included as part of the master plan as one of the sites for a primary school. However as the outline application progressed it became evident that only one primary school would be required, and this site would therefore not be needed. As the outline application had progressed so far at that time the applicants made the decision not to amend the application at that time but to continue with the determination of the application.

Having regard to the above therefore no objections have been raised relating to the loss of this site as a primary school and there will be no significant impact on the educational needs of Bicester and the alternative use, residential, is considered appropriate.

5.4 Impact on the Adjacent Woodland and Wildlife Corridor

The site is located just to the south of an existing small area of woodland which is to be retained and protected as part of the development of S.W. Bicester. The woodland in question is triangular in shape and stands in isolation from other groups of trees and hedges within the site, but will be enhanced by the provision of a green corridor and wildlife corridor from the Middleton Stoney road down through the site and to its south linking through with other green routes within the development. The development site is located to the south of this woodland and will not encroach upon the tree protection areas which have already been identified by a full arboricultural report already produced in conjunction with the S.W. Bicester development.

5.5 Landscape and Visual Impact

Whilst the proposed residential development will be visible from the surrounding area it will be seen in relation to and as part of the wider S.W. Bicester development, and will therefore be bordered to the north and east by residential properties and therefore viewed against this urban extension background.

The proposed residential development is within the building parameters set out in the Environmental Statement accompanying the 2006 outline application for the S.W. Bicester development. The development of this site for residential purposes rather than as a school site is unlikely to significantly alter the overall visual impact of the scale of the development.

The copse to the north of the site has been subject to a full arboricultural survey and a tree protection plan and copse management plan have been submitted as part of the outline Section 106 requirements. This proposal will not impact and encroach into that area.

It is considered therefore that this development will be acceptable in terms of its landscape and visual impact.

5.6 Ecology

Full ecological surveys were undertaken in connection with the outline consent including a phase 1 habitat survey, and it is accepted that the change of use of this site from a school site to residential will not affect the conclusions of that Environmental Statement. The site does not have a high ecological value being a former arable field.

Prior to submitting this application agents on behalf of the applicant revisited the application site advised that as the site had been under arable cultivation since the

last survey in 2004 and is still ploughed on a biennial basis and therefore there was little likelihood that any features of ecological interest developing with no significant boundary features within the area.

HDC & MD therefore considered that an additional ecological survey was unnecessary and that the conclusions of the Environmental Statement submitted in 2006 which found nothing of any significance on this part of the site.

5.7 Access and Traffic

As previously stated, this part of the development is reliant on the wider South West Bicester scheme being progressed to provide the access network and utilities. Work on the wider S.W. Bicester mixed use development has commenced, the drainage has been installed and works to the main spine road and roundabout entrance on to the Middleton Stoney road commenced in August 2010. These works are now well underway with completion expected by the new year.

A Traffic Assessment has been submitted as part of the application. WSP undertook a traffic assessment as part of the wider outline consented scheme in addition to the assessment made in the Environmental statement. The 2006 assessment however made no allowance for trips associated with this part of the site due to its reserved status, and therefore the trips associated with this new residential scheme must be considered as additional trips generated into the network.

The Traffic Assessment concluded that overall, compared to the traffic movement generated by the S.W. Bicester development as a whole that the additional trips generated by this development would not be significant and therefore would not alter the conclusions of the Environmental statement submitted as part of the wider outline scheme. Oxfordshire County Council as Highway Authority do not disagree with this conclusion and made no objections to the proposal subject to the imposition of a number of conditions.

5.8 Flood Risk

A Flood Risk Assessment was submitted and accepted by the Environmental Agency as part of the wider S.W. Bicester development. This part of the development is in Flood Zone 1 and not at risk of fluvial flooding. The drainage design strategy provides specific requirements to manage surface water on this development parcel and the detailed design for the main sewer has been approved by the Environment Agency and OCC who will adopt the systems. The Environment Agency have not raised any objections to the development proposed subject to the imposition of a number of conditions.

5.9 Conclusion

Having regard to the above assessment it is considered that the proposal for the erection of up to 46 residential dwellings on this reserved school site is acceptable. It will provide additional affordable housing and will help to meet the Council's housing land supply targets. The development will not cause significant harm to the visual – of the locality and will not impact significantly upon the local infrastructure. The application is therefore recommended for approval subject to the applicants entering into – see 106 Agreement relating to additional infrastructure provision as stated above and a number of conditions.

6. Recommendation

Approval, subject to;

a) **The applicants entering into a Section 106 Agreement in respect of the items specified above.**

b) **The following conditions and planning notes:-**

1. sc1.0A
2. sc1.1
3. sc1.2
4. sc2.0(A) "dwellings and garages" and "boundary walls"
5. sc2.10(A) "development"
6. sc2.15(AA) 46
7. sc3.0(A)
8. sc3.1(A)
9. sc3.7(AA)
10. sc3.10(A)

11. The development permitted by this planning permission shall only be carried out in accordance with the approved Reflection on Flood Risk document dated September 2010, and the following mitigation measures detailed within this document:

1. The surface water drainage scheme shall be designed to infiltrate or attenuate (where infiltration is not possible) surface water from storms upto and including the 1 in 10 year storm event, as detailed in Section 1.4.2 of the Reflection on Flood Risk document.
2. The design of the surface water drainage system shall be designed in accordance with the surface water strategy and catchment layout drawing 19.3/D/006 rev L, as set out in Section 1.6.1 of the reflection on Flood Risk document.
3. The surface water drainage system shall be in accordance with the Design Code dated July 2008 for the wider Kingsmere development, as detailed in Section 1.8 of the Reflection on Flood Risk document.
4. Permeable paving shall be used on all minor roads within the parcel, as detailed in Section 1.4.2 of the Reflection on Flood Risk document.

Reason: To prevent flooding by ensuring the satisfactory storage of/disposal of surface water from the site and provide environmental enhancements through the use of a suitable mix of SUDS techniques.

12. No development approved by this planning permission shall take place until a surface water drainage scheme for the site, based on sustainable drainage principles and an assessment of the hydrological and hydrogeological context of the development, has been submitted to and approved in writing by the local planning authority. The scheme shall subsequently be implemented in accordance with the approved details.

Reason: To prevent the increased risk of flooding, to improve and protect water quality, improve habitat amenity, and ensure future maintenance of the drainage system. To prevent the potential pollution of the underlying aquifer from the use of soakaways in contaminated land.

13. 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 the developer has submitted, and obtained written approval from the Local Planning Authority for, and amendment to the Method Statement detailing how this unsuspected contamination shall be dealt with.

Reason: The geology under the site is Cornbrash Limestones (Secondary A Aquifer aquifer has the potential to be contaminated. This is in accordance with Local Plan Policy ENV7 (Development affecting water quality) adopted 1996.
14. That the internal vehicle access vision splays shall be formed, laid out and constructed in accordance with detailed plans which shall be submitted to and approved in writing by the Local Planning Authority prior to the commencement of development and that the land and vegetation within the splays shall not be obstructed by any object, structure, planting or other material (RC13BB)
15. That before any of the dwellings are first occupied the whole of the estate roads, footpaths and pedestrian/cycle links shall be laid out, constructed, lit and drained and if required temporary or permanent traffic calming to the Oxfordshire County Council's specifications (RC13BB)
16. sc4.10AA after drained insert "SUDS".
17. That before the development is first occupied, the parking and manoeuvring areas shall be provided in accordance with the plan (to be agreed at reserved matters stage) hereby approved and shall be constructed, laid out, surface, drained (SUDS) and completion and shall be retained unobstructed except for the parking and manoeuvring of vehicles at all times.
18. Prior to the commencement of the development hereby approved, a construction travel plan shall be submitted to and approved in writing by the local planning authority which shall also include details of wheel washing facilities (RC18AA)
19. sc4.21(aa)
20. sc9.11(A)

Planning Notes

1. I enclosed copy letter Thames Water and Environment Agency
2. Q1
3. U1
4. X1
5. In the submission of reserved matters details for approval it is expected that the new scheme will follow closely the details identified in the Design and Access Statement which has been based on the Design Code produced for the S.W Bicester development.
6. Consideration should be given to the provision of bird and bat nesting provision within the development in the interests of improving biodiversity within the site.

Summary of Reasons for the Grant of Planning Permission and Relevant Development Plan Policies

Does not cause demonstrable harm to the character of the local landscape, residential amenity and highway safety and will be seen in conjunction with the wider S.W Bicester development. As such the proposal is in accordance with Policies CC1, CC4 and CC6, C03 and NRM4 of SE Plan, and Policy C28 and C30 of adopted Cherwell Local Plan.

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