

South East Bicester
Wretchwick Way
Bicester

16/01268/OUT

Applicant: Redrow Homes/Wates Developments - Mr M Stock & Mr J Tarvit

Proposal: Outline application with all matters reserved apart from access for residential development including up to 1,500 dwellings, up to 7ha of employment land for B1 and/ or B8 uses, a local centre with retail and community use to include A1 and/ or A2 and/ or A3 and/ or A4 and/ or A5 and/ or D1 and/ or D2 and/ or B1, up to a 3 Form Entry Primary School, drainage works including engineering operations to re-profile the land and primary access points from the A41 and A4421, pedestrian and cycle access, circulation routes, related highway works; car parking; public open space and green infrastructure and sustainable drainage systems

Ward: Bicester South And Ambrosden

Councillors: Cllr David Anderson, Cllr Dan Sames, Cllr Lucinda Wing

Reason for Referral: Major Application **Recommendation:** Approval

Expiry Date: 28 September 2016 **Committee Date:**
25 October 2018

EXECUTIVE SUMMARY OF PROPOSALS AND RECOMMENDATION

Proposal

Outline permission is sought with all matters reserved apart from access for residential development including up to 1,500 dwellings, 7 ha employment land, a local centre and a Primary School. Vehicular access is proposed from the A41 and A4421.

The site is situated to the south east of the main settlement of Bicester, north east of Graven Hill and south of the Birmingham-London railway line. The area is currently open pasture.

Consultations

The following consultees have raised **objections/discussions ongoing**:

- Ambrosden Parish Council, Bicester Town Council, Blackthorn Parish Council, Environment Agency, OCC Highways, OCC Drainage, CDC Urban Design

The following consultees have raised **no objections**:

- Natural England, Network Rail, Thames Water Historic England, Oxfordshire Care Commissioning Group, CDC Waste and recycling, CDC Strategic Housing, CDC Recreation and Leisure, CDC Landscape, CDC Arboriculture, Thames Valley Policy, Sports England, CDC Ecology, Highways England

10 Letters of **objection** have been received regarding this application.

Planning Policy

The application site is situated to the south east of the main settlement of Bicester. The site has been identified within the Cherwell Local Plan 2011-2031. Policy Bicester 12 identifies the site for approximately 3,000 jobs, Mixed B1, B2 and B8 Uses (primarily B8) 1500 dwellings, 30% affordable housing. The development will provide Open Space, community facilities (Local Centre), access and highway improvements, schools etc.

The application has also been assessed against the relevant policies in the NPPF, the adopted Local Plan and other relevant guidance.

Assessment

The key issues arising from the amended application details are:

- Principle of Development;
- Highways;
- Layout and densities of dwellings;
- Urban design and layout of the Local Centre;
- Ecology;
- Environmental Impact;
- Infrastructure;
- Section 106 Agreement;
- Employment use classes and numbers of jobs created;
- Impact on the Scheduled Ancient Monument and proposed Buffer Zone;
- Landscape and Visual Impact;

The report looks into the key planning issues in detail, and officers conclude that the proposal is acceptable subject to conditions and the conclusion of a Section 106 agreement. The scheme meets the requirements of relevant CDC policies

RECOMMENDATION – DELEGATE TO OFFICERS TO GRANT PERMISSION SUBJECT TO CONDITIONS, NO OBJECTION FROM HIGHWAYS IN RESPECT OF REVISED MODELLING AND A S106 AGREEMENT TO SECURE INFRASTRUCTURE

Members are advised that the above is a summary of the proposals and key issues contained in the main report below which provides full details of all consultation responses, planning policies, the Officer's assessment and recommendations, and Members are advised that this summary should be read in conjunction with the detailed report.

MAIN REPORT

1. APPLICATION SITE AND LOCALITY

- 1.1. The proposed development site measures approximately 130 hectares and is located to the south east of the main urban area of Bicester. The A41 (T) Bicester to Aylesbury Road is to the south, and Wretchwick Way (A4421) runs along the western boundary. The London-Birmingham railway line lies to the north of the site.
- 1.2. The site consists predominantly of farmland associated with Middle Wretchwick Farm which is situated between the 2 sections of the deserted medieval village of Wretchwick, Little Wretchwick Farm which is centrally located, yet excluded from the proposed site and Manor Farm. The agricultural fields are generally flat with minor deviations. The embankment/bund to the railway is a visually dominant feature to the north of the site.

- 1.3. The west of the site includes the Wretchwick deserted medieval village, which is a designated Scheduled Ancient Monument (SAM). This proposed site is outside of the development bounds and will have a protective buffer situated around it.
- 1.4. The site has a number of Public Rights of Way's running through the site. The area is broken up by traditional mature hedging which are important within the site, due to their visual prominence, their maturity and their use. There are small clusters of trees within the site although the majority of the trees within the site have little arboriculture or visual importance. No Tree preservation orders existing within the site.
- 1.5. The site is allocated under Cherwell Local Development Plan Policy Bicester 12, detailed in paragraph 2.4 below. The surrounding area has been the subject of extensive residential development recently with the development of Graven Hill and the immediately adjacent employment site at Symmetry Park, which is for light industrial use. These sites are situated south/ south west of the site.

2. DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1. Outline planning permission is sought for the mixed use development to the South East of Bicester, with all matters reserved except for access. The application was originally submitted in 2016 and the masterplan has undergone amendments at the request of the Local Planning Authority. The application description is;
 - residential development including up to **1,500 dwellings**,
 - up to **7ha of employment** land for B1 and/ or B8 uses,
 - **a local centre** with retail and community use to include A1 and/ or A2 and/ or A3 and/ or A4 and/ or A5 and/ or D1 and/ or D2 and/ or B1,
 - up to a 3 Form Entry **Primary School**,
 - **drainage works** including engineering operations to re-profile the land and
 - primary **access** points from the A41 and A4421,
 - and pedestrian and cycle access, circulation routes, related highway works; car parking; public open space and green infrastructure and sustainable drainage systems.
- 2.2. Cherwell Local Plan, Policy Bicester 12, identifies the parameters which need to be addressed through any application for the development of the site, including masterplan submission. The proposals have been amended several times over the last two years and more recently in June 2018 and October 2018 to include and react to a number of the parameters set out.

Housing

- 2.3. The proposed development is a mixed use development which intends to include up to 1500 dwellings of a mixed tenure properties, including affordable housing. The final number of dwellings will be determined through the reserved matters application. The affordable housing will account for 30% of the total housing on the site.

Employment

- 2.4. The proposed employment site has been reduced through the course of the application. The final figure of land allocated for employment is 6.6 hectares and will include flexible provision of accommodation within use class B1 and/or B2 and /or B8. The uses can be controlled through the imposition of condition. Local Plan Policy Bicester 12 detailed that 3,000 jobs would be created over an employment

area where as the proposals are envisaging between 752-868 jobs. The justification for the dramatic reduction in the amount of employment floor area is due to the reduction in the overall developable area resulting from the site constraints. This will be detailed further under paragraphs 8.18 - 8.26.

- 2.5. The proposed employment areas have been directed to the south eastern section of the site, in an area adjacently north to the previously approved/ ongoing Symmetry Park development.

Local Centre

- 2.6. The proposed development will create a mixed use local centre which has changed significantly from the original submission. Previously the local centre was proposed to straddle the primary spine road through the site. However the approach currently has shifted to accommodate the centre primarily on the southern side of the proposed road. The proposed Local Centre will measure approximately 2.03 hectares.
- 2.7. The proposed local centre will include a multifunctional community hall measuring approximately 650 square metres, a convenience store of approximately 540 square metres, children's day nursery creating 600 square metres of space, internal and external, 3, 75 square metre A1 retail units, a 75 square metre D1 Unit (doctor, dentist, vet etc) and an A5 unit (hot food takeaway) of similar size, a care home creating approximately 60 units and circa 90 residential units. The residential uses are primarily focused on the northern side of the spine road with Cutters Brook Park beyond that. The policy also includes the site now known as Symmetry Park has Planning permission for.....

Primary School

- 2.8. The local centre will adjoin a primary school within the site. The land proposed for the school will measure approximately 3.1 hectares to accommodate a 3 form entry primary school. The school, as with the majority of the local centre has changed position and appearance since the application was originally submitted. The school has been relocated to an area, with the playing fields, to ensure that they are no longer within the flood plain.

Access and Roads

- 2.9. A large amount of the land associated with the development is enveloped through the requirement for access and internal circulation roads. A new spur road will be created from the Wretchwick Way/Gavray Drive Junction of the existing roundabout junction A4421 Wretchwick Way to the immediate west of the site. A new 4 armed round-a-bout will be created on the A4 Aylesbury Road at the junction with Pioneer Road in the southern area of the site. Again, alterations to the masterplan have resulted in changes with the vehicular access to the south of the Scheduled Ancient Monument, which ran through the SAM buffer, has been removed with just pedestrian and cyclist access now proposed. These alterations were in response to the initial consultation response received from Historic England.
- 2.10. The internal circulation roads also include a link road centrally through the site which will connect both the northern and southern accesses proposed. This will for the primary road network through the site. There will also be a scheme of smaller residential access roads.

- 2.11. The proposed roads proposals are still currently being assessed by OCC Highways and this section will be updated prior to the Committee date, as per sections 8.8-8.17.

3. RELEVANT PLANNING HISTORY

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

| <u>Application Ref.</u> | <u>Proposal</u> | <u>Decision</u> |
|-------------------------|---|----------------------------------|
| 13/00055/SO | Screening Opinion - Development of land to provide up to 800 new dwellings and 22.5 h employment land for B1, B2 and B3 uses with associated highway improvements, public open space, landscaping and infrastructure | Screening Opinion requesting EIA |
| 15/00014/SO | Screening Opinion - Mixed-use development to provide up to 1,500 new dwellings, up to 24 ha of employment land, a new primary school, a small local centre and community facilities, a perimeter road and other associated highway improvements, public open space, landscaping and infrastructure. | Screening Opinion requesting EIA |

- 3.2. The application has undergone screening opinions but no official pre application applications have been received in relation to this application.

4. PRE-APPLICATION DISCUSSIONS

- 4.1. No formal pre-application discussions took place with regard to this proposal

5. RESPONSE TO PUBLICITY

- 5.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was 29.08.2018, although comments received after this date and before finalising this report have also been taken into account.

- 5.2. Ten letters of **objection** have been received regarding this application. The comments raised by third parties are summarised as follows:

- If a pelican crossing will be put in to allow the people from the new estate to cross and walk to the train station / town, where would it be positioned?
- This new development seems to be far inferior to the North West Bicester Eco development. Are we in the south east of Bicester becoming the industrial half? It

looks like it and yet we have easy access to the new railway line to reach centres of employment.

- There are brown field sites in Bicester for industry without building on green farmland.
- The spine road was designed as a relief road by OCC and will be taking HGVs from the A41 across a housing estate. A clearer indication of traffic number is required
- One Pelican crossing is not sufficient for children to cross a fast major road. A major road through the middle of an estate carrying HGVs is bad town planning. The OCC road alone is sufficient grounds for objection.
- The housing seems very dense. I appreciate that the planners have left us a space for wildlife up the northern end. However 90% of the houses are at a density of 45 dwellings per hectare whereas the recommendation is for 30 DPH
- The height of the B1/B8 buildings will be under 15 metres which is better than the neighbouring warehouse development of 18 metres. Industry and houses should not be mixed.
- The development will devastate the living conditions for the residents of no 1 and 2 Wretchwick Farm cottages, if these present plans for this development are allowed.
- There is no vehicle route integration with the proposed DB symmetry site and the development site leading to a more convoluted road layout. Can the proposals be supported by an adequate highways system both within the site and outside its boundaries? Has sufficient modelling been done to assess the impact and have mitigation measures been identified?
- The roads in the area are already at capacity and cannot sustain the level of traffic generated as a result of this development.
- Notable species to be found across the site include the Great Crested Newt, three species of bats, Common Lizard, Grass Snake, Badgers, Brown Hairstreak Butterfly, Black Hairstreak Butterfly, Forester Butterfly, Red Kite, Buzzard, Kestrel, Sparrow Hawk, and wild orchids, amongst others . Has this been adequately assessed and what are the mitigation measures proposed to ensure the species are not lost in the locale?
- The application identifies that 16% (approximately 1.7 km) of the 10.5km of existing hedgerows within the site will be removed for roads and access ways. This will lead to loss of wildlife corridors
- The field immediately behind Wretchwick Farm Cottages is of historical interest due to the presence of ridge and furrow land formations. Is the proposed Scheduled Ancient Monument buffer zone sufficient?
- The constant flow of HGV traffic in and out of the Employment Hub of the Wretchwick Green and Symmetry Park sites will be a significant source of air,

noise and light pollution around Wretchwick Farm Cottages. The Environmental Statement (Vol 1, Chapter 3, section 3.39) indicates that the construction phase for the employment hub will be on-going for between 8 and 14 years. This will result in significant disturbance over and extensive period.

- The properties at 1 and 2 Wretchwick Farm Cottages share a septic tank at the rear of the property close to the rear hedge that surrounds the properties. Due to its position, this tank can only be emptied by a lorry parked behind this hedge
- This land floods when we have had heavy rain, particular in the autumn and winter, it acts as a sponge. By taking this away and forcing the water into the north of the site will only increase the risk of flooding either on to Wretchwick Way, which already regularly floods near Langford, or even towards Launton.
- This is just not a sensible place to site any warehousing and new businesses. Any warehousing should be near the motorway junction and new businesses can be sited in the empty properties that are dotted around Bicester, the old valor Bruce building on the Launton road for instance.
- I may have missed it but I didn't see a Doctors Surgery on any documentation, Bicester's docket's are already stretched add to that 3000 plus people where will they go to see a doctor?
- A master plan for the whole of Bicester 12 is required before a committee decision, so that plans for both Wretchwick Green and dB Symmetry Park employment areas can be integrated.
- The adopted Cherwell Local Plan 2011-2031 shows a dual use for the land in the north of Bicester 12 for development as well as nature conservation (the Upper River Ray Conservation Target Area [CTA]). This set up a conflict of land use from the start of the planning process. In the current plans, over half of the CTA is covered with built development which reduces the area for biodiversity improvement.
- The Environment Statement refers to the effect of construction on water quality. It reassures us that the construction phase is only temporary but in fact Bic 12 will take years to complete. The proposed drainage system takes run-off water from the southern employment area to the CTA in the north. This makes the water in the northern holding ponds in the CTA vulnerable to pollutants.
- Air quality. The impact of the development on air quality is said to be 'not significant'. This estimate cannot be correct when the plans are to put a major road through which will attract many vehicles in addition to the vehicles of residents and employees. Congestion with waiting traffic will occur at the various controlled crossings as well as the major junctions and will lead to poor air quality.
- The landscape sensitivity is categorised as medium to low due to the 'presence of existing settlements and visual detractors such as warehouses'. The huge warehouse by the railway was a previous mistake of planning. It should not be used as a reason to further downgrade the value of the landscape by more huge buildings.

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

6. RESPONSE TO CONSULTATION

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

PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

- 6.2. AMBROSDEN PARISH COUNCIL: **Objections** based on; the heights of the buildings; the build zones; removal of bus stops; highway impacts on B401; Impact of roundabout on cycleway; design of new junctions; impact on Wretchwick Cottages; impact on the existing public rights of way.
- 6.3. BICESTER TOWN COUNCIL: **Objections** due to the potential impact of employment area to the South East of the site. It is believed that more can be done to mitigate the impact on Wretchwick Cottages by creating a wider buffer zone. The sports provision appears to be fragmented.
- 6.4. BLACKTHORN PARISH COUNCIL: **Objections** based on revised road layout, proposed works to junctions and drainage.

OTHER CONSULTEES

- 6.5. ENVIRONMENT AGENCY: Following initial significant objections **No objection** subject to the imposition of conditions, in light of the amended proposals.
- 6.6. HIGHWAYS ENGLAND: **No Objection.**
- 6.7. NATURAL ENGLAND: **No Objection.**
- 6.8. NETWORK RAIL: **No objection** subject to the imposition of conditions.
- 6.9. THAMES WATER: **No objections** subject to the imposition of conditions relating to water and waste water.
- 6.10. HISTORIC ENGLAND: **No objections** subject to the imposition of the following conditions in relation to the following;

A treatment and future management scheme (to be developed in consultation with Historic England and other interested parties) for the buffer zone around the scheduled monument, including the area containing medieval archaeological remains which are not currently designated but are of national importance. This scheme should include the design of the proposed footpaths through the buffer zone.

A scheme for education, outreach and interpretation (to be developed in consultation with Historic England and other interested parties) for residents for the development and the neighbourhood, and for visitors to the development. This should relate to both designated and non-designated heritage assets.

A scheme for treatment of the areas of the development which lie close to the outer edge of the scheduled monument buffer zone.

- 6.11. SPORTS ENGLAND: **No Objection** Sport England is able to support the principal of this application but have comments that should be addressed to improve the delivery of the housing alongside the sport and physical activity infrastructure.
- 6.12. CDC ARBORICULTURE: **No objection** subject to the imposition of conditions.
- 6.13. CDC CONSERVATION: No response received to date.
- 6.14. CDC ECOLOGY: **No objection** subject to the imposition of conditions covering implementation of ecological mitigation measures; a construction environmental management plan, lighting scheme.
- 6.15. CDC LANDSCAPE SERVICE: **No objections** subject to the imposition of conditions.
- 6.16. LANGFORD COMMUNITY ASSOCIATION: Comments have been received which both support and object to individual elements of the application.
- 6.17. CDC PLANNING POLICY: No general response has been received to date. A response focussing on the Employment aspect has been received, with no objections raised, subject to the imposition of a controlling condition relating to use class percentages)
- 6.18. CDC RECREATION AND LEISURE: **No objections**, subject to the applicant entering in to a Section 106 Agreement
- 6.19. OXFORDSHIRE COUNTY COUNCIL MAJORS: Ongoing. There are currently **holding objections** relating to the Transport and Highways issues. The main points of objection relate to the following;
- The modelling undertaken in the Transport Assessment Addendum assumes the delivery of both the South-East Perimeter Road (SEPR) and dualling of the Eastern Peripheral Route. However, there is a risk that the development could be built out before the delivery of these strategic improvements. The traffic impact of this scenario has not been fully assessed;
 - It is proposed that Wretchwick Avenue would not link through the site end to end until the final phase of the development, however no assessment has been undertaken to determine the impact of this on the Local Highway network during the interim period.
 - Although the original TA assessed a with and without SEPR scenario, it was assumed that the dualling of the Eastern Perimeter Road would be in place as OCC was actively bidding for funding at the time. There has been no scenario modelled without the dualling of the Eastern Perimeter Route. Since then, both the SEPR and Eastern Perimeter Road scheme have been put on hold pending a decision on the Oxford-Cambridge Expressway. Currently, although also in Local Transport Plan 4, the dualling of the Eastern Perimeter Road is no more committed than the SEPR, as it is not fully funded. This is through no fault of the developer, however it should be noted that there is a risk here in permitting the full development on the basis of two major pieces of infrastructure being in place
 - The lack of an assessment demonstrating at what interim year/quantum of development the SEPR or scheme of similar benefit would be required by, no assessment has been provided to demonstrate the impact of the

development prior to Wretchwick Avenue being complete between the A41 and A4421. The original submission documents indicate that the link would not be completed until the final phase of the development and therefore an assessment of the traffic impact of the development prior to this is required

However, further information has been submitted and is currently being assessed, which should allow any objections to be removed. The original objections relating to drainage have now been removed as a result of an amended scheme being submitted. This is on the basis that conditions are imposed relating to surface water drainage, and the Suds Management and Maintenance Plan

- 6.20. CDC STRATEGIC HOUSING: **No objection** subject to the applicant's agreement to enter into a section 106 agreement in relation to affordable housing.
- 6.21. THAMES VALLEY POLICE: **No objections**, subject to the applicant entering into a Section 106 Agreement
- 6.22. CDC URBAN DESIGN: **Objections** received relating to layout of the Local Centre, housing layout and densities and street design options. Discussions are ongoing to secure parameter plans for the site.
- 6.23. OCC DRAINAGE: After significant original objections, the applicant has resubmitted and amended the proposals, which have allowed for the objections relating to drainage to be removed subject to the imposition of conditions.
- 6.24. CDC WASTE AND RECYCLING: **No objection**.
- 6.25. WILDLIFE TRUST BBOWT: **No objection** subject to the imposition of conditions, as with CDC ecology.
- 6.26. OXFORDSHIRE CARE COMMISSIONING GROUP: **No objections** subject to the applicant entering into a section 106 Agreement.
- 6.27. CDC BICESTER DELIVERY TEAM: **No objection** subject to the imposition of certain heads of terms.

7. RELEVANT PLANNING POLICY AND GUIDANCE

- 7.1. Planning law requires that applications for planning permission must be determined in accordance with the development plan unless material considerations indicate otherwise.
- 7.2. The Cherwell Local Plan 2011-2031 - Part 1 was formally adopted by Cherwell District Council on 20th July 2015 and provides the strategic planning policy framework for the District to 2031. The Local Plan 2011-2031 – Part 1 replaced a number of the 'saved' policies of the adopted Cherwell Local Plan 1996 though many of its policies are retained and remain part of the development plan. The relevant planning policies of Cherwell District's statutory Development Plan are set out below:

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

- **Policy PSD1:** Presumption in favour of sustainable development
- **Policy SLE1:** Employment Development
- **Policy SLE4:** Improved Transport and Connections
- **Policy BSC1:** District Wide Housing Distribution

- **Policy BSC2:** The effective and efficient use of land – brownfield land and housing density
- **Policy BSC3:** Affordable housing
- **Policy BSC4:** Housing mix
- **Policy BSC9:** Public services and utilities.
- **Policy BSC11:** Local standards of provision – outdoor recreation
- **Policy BSC12:** Indoor sport, recreation and community facilities
- **Policy ESD1:** Mitigating and adapting to climate change
- **Policy ESD2:** Energy Hierarchy and Allowable Solutions
- **Policy ESD3:** Sustainable Construction
- **Policy ESD4:** Decentralised energy systems
- **Policy ESD6:** Sustainable Flood Risk Management
- **Policy ESD7:** Sustainable drainage systems
- **Policy ESD8:** Water resources
- **Policy ESD10:** Protection and enhancement of biodiversity and the natural environment
- **Policy ESD11:** Conservation target areas
- **Policy ESD13:** Local landscape protection and enhancement
- **Policy ESD15:** The character of the built and historic environment
- **Policy ESD17:** Green Infrastructure

CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- **Policy C25** – Development affecting the site or setting of a Schedule Ancient Monument
- **Policy C28** – Layout, design and external appearance of new development

7.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Emerging Cherwell Local Plan 2011 – 2031 (Part 2) Development Management Policies and Sites
- Bicester Masterplan Supplementary Planning Document February 2016
- Design Supplementary Planning Document November 2017
- Developer contributions Supplementary Planning Document February 2018
- Statement of Community Involvement July 2015

8. APPRAISAL

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

- Principle of Development;
- Highways;
- Layout and densities of dwellings;
- Urban design and layout of the Local Centre;
- Ecology;
- Drainage;
- Open space , sports and recreation facilities;
- Education;
- Environmental Impact;
- Section 106 Agreement;
- Employment use classes and numbers of jobs created;

- Impact on the Scheduled Ancient Monument and proposed Buffer Zone;
- Landscape and Visual Impact;

Principle of development

Legislation

- 8.2. Section 70(2) of the Town and Country Planning Act 1990 and Section 38(6) of the Planning and Compulsory Purchase Act 2004 require planning applications to be determined against the provisions of the development plan for the area unless material considerations indicate otherwise.
- 8.3. Current national planning policy within the NPPF (which is a material planning consideration of significant weight) reaffirms this position and confirms that the starting point for proposals that are contrary to an up-to-date Local Plan (i.e. those local planning policies within a development plan document that are consistent with the NPPF) is refusal unless material considerations justify a departure from it.
- 8.4. Recent court judgements have concluded that there is no presumption in favour of sustainable development within the NPPF where a proposal conflicts with an up-to-date development plan given that the plan itself will have been prepared against national planning policy and guidance and so must in itself be a sustainable strategy for the area.
- 8.5. As a result, significant and specific overall benefits would need to be demonstrated to justify departing from a development plan that is up-to-date with respect to national policy rather than a generic balancing exercise as part of a presumption in favour of sustainable development.

Development Plan

- 8.6. The adopted Cherwell Local Plan 2011-2031 Part 1 (CLPP1) is the principal development plan document for the District that sets out a strategy and overarching policies to provide for sustainable growth within the District to meet identified need through to 2031. Having been examined and found sound by an independent inspector against national policy (i.e. NPPF) and relevant statutory tests it is considered to be up-to-date. It primarily focuses new growth in the District to Banbury and Bicester whilst limiting it elsewhere in order to provide for the most sustainable form of growth over the plan period. Amongst other things it identifies a number of strategic sites for housing and employment development in and around Bicester so that they are provided in carefully considered proportions in order to deliver a sufficient number and type of jobs to reduce the need for out-commuting from Bicester arising from the new housing which would be unsustainable.
- 8.7. Local Plan Policy PSD1: Presumption in Favour of Sustainable Development states that the council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the NPPF. The council and the Planning Authority seek to work proactively with applicants to jointly find solutions which mean that proposals can be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area. Planning applications that accord with the policies in this Local Plan (or other parts of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.
- 8.8. In December 2014 the government awarded Bicester Garden town Status, which is recognition of the government's support for the level of growth proposed for Bicester. This was further underpinned with reference to Bicester within the Budget 2015.

Moreover The Cherwell Local Plan Part 1 detailed that a total of 22,840 dwellings were to be provided between April 2011 and March 2031. This will be supported with appropriate infrastructure, job creation etc. The majority of the proposed growth was to be directed towards Bicester and Banbury

- 8.9. The application site itself is identified under Local Development Plan Policy Bicester 12: South East Bicester. This policy is therefore fundamental to the consideration of this application as the site is an allocated and identified site. The policy sets out a number of parameters which need to be covered/addressed as part of any application. Generally speaking the site allocation description was for “A mixed use site for employment and residential development to the east of the ring road to the south east of Bicester”. The proposed developments general makeup was for 1500 dwelling, 30% of which would be affordable, approximately 40 hectares of Employment land, providing B1, B2 and B8 uses, creating 3,00 jobs, a mixed use local centre, a primary school, open space/recreation and the safeguarding of land for future highway capacity improvements.

Conclusion

- 8.10. Broadly speaking the main elements of the policy have been met. As with every application there is a degree of flexibility applied to ensure the viability and delivery of the proposed scheme. The proposed development has responded to the main directions of the relevant policy, as far as can be through an outline application, and is therefore considered to be compliant with Local Development Plan Policy PSD1: Presumption in Favour of Sustainable Development and Policy Bicester 12.

Highway Impact

Policy Position

- 8.11. Local Development Plan Policy SLE4 relates to the improved transport and connections. This outlines the approach required to improve transport connections and outlines overarching principle for new development to be complied with. This includes ensuring that the development facilitates the use of sustainable modes of transport and walking and cycling. It also outlines that development which is not suitable for the roads that serve the development and which have a severe traffic impact will not be supported.
- 8.12. Policy Bicester 12, the most specific policy regarding the development, states that in terms of access and movement there will be requirement to contribute to the improvements to the surrounding local and strategic road networks and to safeguard land for future highway capacity improvements to peripheral routes.

Transport Assessment

- 8.13. A Transport Assessment was submitted as part of the original submission and has since been revised to address the changes in the proposals and in an attempt to address the issues raised by the Oxfordshire County Council Highways Department which are detailed in the consultation responses section of the report. The main objections raised related to assumptions made in the modelling, in relation to the provision of roads which aren't currently in situ, the timing of the completion of Wretchwick Way which connects one of the site to the other, and the lack of traffic impact assessment as a result of this proposal and its completion timings,. It is anticipated that a school travel plan will be prepared by the education provider at a later date when the proposals for the school are finalised.

- 8.14. The full scope of the access arrangements, the transport strategy, pedestrian measures, cycling measures, public transport measures, vehicular measures, development impacts, impacts upon the strategic road network etc are covered with the submitted Planning Statement sections 7.110 -7.163 and summarised below.

Access to the Development

- 8.15. In terms of access, one vehicular access is proposed to serve the site from the A41 Aylesbury Road and one from the A4421 Wretchwick Way. The access from the A4421 is in the form of a 4th Gavray Drive roundabout whilst the access from the A41 will be taken from a new roundabout on Aylesbury Road, at its junction with Pioneer Road. The original scheme of a secondary access from Wretchwick Way at Peregrine Way has been omitted. The road linking the access junctions will act as the main spine road through the site. The road will be a single carriageway which will provide the principal means of access and will provide additional link capacity to Bicester's peripheral routes.
- 8.16. The provision of a hierarchy of roads is considered to connect the individual development areas and the internal network of roads are considered to be as a result of the place making exercise rather than being a vehicular route led exercise. The proposed dual purpose spine road and accesses will ensure traffic is dispersed within the site and will not create choke points and will contribute to the wider transport improvements in the locale through a Transport Strategy financial contribution.

Sustainable Travel

- 8.17. The proposed development will be well served by existing sustainable travel modes, which will also be enhanced. The proposed transport strategy includes a mixture of walking, cycling and public transport measures designed to improve the connectivity of the site and enhance the accessibility of proposed and existing key destinations.
- 8.18. In terms of pedestrian measures the site will have an extensive network of pedestrian footways and paths. The principal road network will also have a supporting pedestrian element which will carry on throughout the secondary routes. Formal crossing points will be created, especially in key areas where foot traffic will be increase e.g. the local centre, around the school area. This will be supported with similar crossings at key access points. The existing PROW will also be protected.
- 8.19. A network of off road cycle routes will be created culminating in a 3.5 metre segregated route on one side of Wretchwick Avenue and Brook Lane and a 2.5 metre route on the other side. This mode will be supported by bicycle parking and 3 standalone Toucan Crossings. The existing cycle routes on the western side of Wretchwick way will also be improved.

Conclusion

- 8.20. There have been numerous discussions specifically regarding the highways proposals. At the time of writing the applicant has agreed to undertake additional modelling and set out mitigation measures which should allow the County Council to remove the existing holding objections as detailed in paragraph 8.13 and in the consultations section under OCC response. This will be detailed within the written updates prior to the Committee meeting.

Employment

- 8.21. Policy SLE1 relates to Employment Development, the most pertinent section of this policy being the section which states *“Regard will be had to whether the applicant can demonstrate that there are other planning objectives that would outweigh the value of retaining the site in an employment use”*. This is relevant given that Policy Bicester 12 detailed that the site will accommodate 40 hectares of employment land creating approximately 3000 jobs. However as detailed in Paragraph 2.4, the submitted Planning Statement has detailed that the site will create approximately 752-868 jobs. Of the total site area of 40 hectares detailed in the policy 16.42 hectares of this falls outside the application area within what is known as Symmetry Park. This site is continuing to implement its gained permission.

Reduction in Employment Land

- 8.22. The updated masterplan that supports the application suggests a reduced quantum of employment land from approximately 18 hectares to 7 hectares. The justification for the reduction in the employment area directed to the increase of the scheduled ancient monument buffer, which has increased by approximately 3.15 hectares and the change in drainage strategy with the retention of the majority of the floodplain which has further reduced the developable area by approximately 6.75 hectares. The applicants have chosen to concentrate on securing housing acreage numbers at the expense of employment land.
- 8.23. In the assessment of the application in relation to the loss of employment land, the Local Planning Authority must take a holistic approach to the development in general, balancing the site constraints whilst delivering the requirements of the land uses required by the allocation policy. In this instance the main assessment is given the reduction in site area is the loss of employment land acceptable in aiming to achieve the number of dwellings identified in the allocation.
- 8.24. The revised approach will potentially lead to the loss of approximately 7 hectares of employment land. When this is considered with the 16.49 hectares already approved at Symmetry Park will represent an achievement of 58% of the Bicester 12 land allocation. This considered with the other aims of the policy and the achievement of a superior layout, density and the meeting of the dwelling targets can be considered to be a reasonable compromise and can be considered to meet the strategic aims of the policy and Local Plan generally. In the assessment of this, the site has been assessed holistically given its position in relation to Graven Hill, North West Bicester, Bicester Gateway and Bicester Business Park, as well as Symmetry Park.
- 8.25. As part of the assessment of whether the loss is acceptable, other material considerations include the number of “windfall sites” coming forward for employment use. The annual Monitoring report 2017 highlights that there is a high level of committed employment land overall On top of the 107 hectares of committed land in Bicester , in one monitoring year 10.3 hectares of employment land was identified on un-allocated sites. Over the Local Plan period, it is considered that the loss of land for employment at Wretchwick Green can be offset elsewhere.
- 8.26. In table 7.1 of the planning statement (June 2018) the applicant sets out the number and type of jobs that could be provided which includes B8 and B1 uses some of which are of a smaller scale. When considered in conjunction with employment provision at Symmetry Park (16/0086/HYBRID), where just over 16 hectares of land is identified and circa 800 jobs anticipated, the application would not provide for the land and jobs specified by Policy Bicester 12 and would therefore be inconsistent with the policy.

Local Centre

- 8.27. In relation to the employment proposals for the Local Centre, It is consider that the proposals, if provided in line with those set out, would be consistent with Local Plan policy SLE 2 and policy Bicester 12 of the Local Plan in terms of the provision of local centres and proposals will not require a sequential test or impact assessment.

Conclusion

- 8.28. The reduction in employment land in the application can be justified in relation to other matters including site constraints. However, it is most relevant to consider the number and type of jobs provided through the delivery of both sites. As above, the number falls short of the policy requirements. The Local Plan also aims to provide jobs at Bicester to address the imbalance between homes and jobs and reduce out commuting. However, the reduction in land for employment (which would almost inevitably lead to fewer in jobs in total) is considered to have been justified. Therefore if the application provides for jobs in line with table 7.1 of the planning statement, where a number of B1 units are proposed, it is considered that the application would be acceptable. These units will provide more jobs per square metre and also assist meeting the Local Plan objective of providing for jobs in high-tech high value sectors. The uses proposed would also be consistent with Bicester 12 in terms of providing a mix where 'primarily B8 uses' are required and proposed. The applicant has also submitted information which explains that the market for B2 uses is limited, which is accepted.

Layout, design and Densities of Dwellings

- 8.29. Cherwell Local Plan Policy BSC 2; The Effective and Efficient Use of Land – Brownfield Land and Housing density requires that all housing development in the area make effective and efficient use of Land. New housing should be provided on net developable areas at a density of at least 30 dwellings per hectare unless there are justifiable planning reasons for lower density developments.

Density

- 8.30. The proposals have included an overarching density assumption, which has been revisited on numerous occasions. The applicants have conducted density testing based on the number of dwellings within a development area of 35.75 hectares. The lower end projections resulted in 1350 dwellings which would equate to 38 dwellings per hectare. The upper end projections based on the same developable area would result in 42 dwellings per hectare resulting in 1507 dwellings. Both of the projections are compliant with the relevant planning policy detailed within paragraph 8.19. There is often pressure on Planning Authorities to gain the highest densities however this needs to be considered in association with achieving a suitable mix and appropriate layout.

Layout

- 8.31. A notional layout of the residential areas and the development site generally has been submitted. In terms of the residential layout and design, ESD 15 The Character of the Built and Historic Environment, must be referred to. The policy states that new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards.
- 8.32. The design and access statement, the land use plan and the masterplan have detailed the proposed residential development, employment land, school, local centre, open space, nature reserve and the buffer around the Scheduled Ancient

Monument. As this is an outline application the areas identified are only as blocks which detail the land use within the site. The site has been the subject of numerous changes as a result of dialogue with the Planning Authority and the outcome of the consultation responses from the like of Historic England, Environment Authority, CDC Ecology, Oxfordshire County Council etc.

Masterplan

- 8.33. The aim of the masterplan is to achieve a well appointed garden suburb which creates a permeable and well connected mixed use development whilst acknowledging the locale which surrounds it. This is echoed also with Policy Bicester 12 which required a comprehensive masterplan for the site. In terms of planning, the masterplan is required to address not only the subject of the application but the surrounding area to ensure that the allocation can be successfully integrated within its environs.

Green Infrastructure

- 8.34. Detailed character of the green infrastructure network has been provided along with and assessment of open space requirements to show policy compliance. An integrated drainage strategy strengthens the green infrastructure detail. The issues with the proposed drainage were the subject of extensive discussions with the Oxfordshire County Council, which have ultimately been resolved after additional studying and modelling had been undertaken.

Connectivity

- 8.35. Although currently ongoing, the basis for the site to be well connected and permeable appears to have been adequately addressed. The submitted masterplan demonstrates connectivity between parts of the allocated site likely to be developed/have public access and details its relationship in terms of connectivity with adjoin sites such as Symmetry Park.

Detailed Design

- 8.36. The applicant has entered into detailed discussion and created a design group in association with the LPA to ensure the best layout and design parameters are achieved going forward. The applicant has also agreed and has been proactive in their desire, post committee, to work with Cherwell District Council and statutory bodies to progress the design details further through the production of a design code. This process has already commenced. This will allow a fuller progression of the urban design issues in parallel with other technical matters and not in isolation.

Local Centre

- 8.37. The proposed Local Centre has been an area of the application where there has been extensive change. Originally the proposal sought the creation of a local centre which straddled both the northern and southern sections of the main spine road through the site. However, through ongoing discussions the proposed Local centre will be on the southern side of the road with residential on the northern side, with Cutters Brook Beyond that.
- 8.38. Policy Bicester 12 sets out the requirement for a mixed use local centre to include a multi-use community hall(650 square metres), nursery (418square metres internal + 186 square metres external), approximately 60 care home units, a convenience store(approximately 540 square metres) and small scale employment premises. The proposed spine road, Wretchwick Avenue will run to the north of the local centre,

which will measure approximately 2.03 hectares. The local centre will create a focal point for the public realm in combination with the primary school and sports pitches and will be located in a manner and position which will make it accessible from all areas of the development. The final layout of the local centre has not been achieved however the LPA have been able to achieve a basic parameter plan that will form the basis of the Local Centre and which will enable focussed discussion at the design brief stage and moving forward.

Affordable Housing

- 8.39. Local Development Plan Policy BSC3 Affordable Housing states that within Bicester and Banbury, any development over 11 dwellings or which would be provided on sites suitable for 11 or more dwellings will be expected to provide at least 30% of new dwellings as affordable housing on site. Furthermore, all qualifying developments will be expected to provide 70% of the affordable housing as affordable/ social rented dwellings and 30% as other forms of intermediate affordable homes. Social rented housing will be particularly supported in the form of extra care or other supported housing. It is expected that these requirements will be met without the use of social housing grant or other grant.
- 8.40. The proposed scheme will provide 30% of the gross number of the residential units as affordable housing, in compliance with Policy Bicester 12 and Policy BSC3. This will amount to a maximum of 450 affordable dwellings which will be dispersed and integrated throughout the site.

Housing Mix

- 8.41. Local Development Plan Policy BSC4, Housing mix, requires that new residential development will be expected to provide a mix of homes to meet current and expected future requirements in the interests of meeting housing need and creating socially mixed and inclusive communities.
- 8.42. As this application is in outline, at this stage the proposed housing mix has not been established. Through the reserved matters stage the Local Planning Authority will strive to apply the conclusions of the Oxfordshire strategic housing market assessment (SHMA 2014) to ensure the appropriate, size and tenure of property mix is achieved. The basis for this approach is detailed in table 4.1: SHMA Table 67: Conclusions regarding mix of homes, HMA Level.

Education

- 8.43. The infrastructure delivery plan, as detailed within appendix 8 of the Cherwell Local Plan details that South East Bicester will provide a 1.5 Form Entry Primary School increasing to a 2 Form Entry School. The proposals include land allocated to accommodate a primary school on site with contributions to be made towards off site secondary school provision.
- 8.44. The proposed school has been relocated from its original position to ensure that the school playing fields would be located outside the flood plain, which is located south of the local centre. Access to the school will be achievable from the southern bus loop and will be centrally located. A landscaped play area is proposed adjacent to the school.
- 8.45. The applicant has demonstrated that the site can accommodate a 2 form entry school as required by the relevant policy and that the land adjacent to this could accommodate a 3 form entry school. The site proposed for the 2 form entry school

measures approximately 2.2 hectares with an option of a 0.79 hectare if there is a requirement for a 3 form entry school.

Play/Outdoor Space

- 8.46. The proposals are considered to accommodate sufficient green infrastructure with the overall quantum being over 50% of the total site area. This application proposals provides over double the required area for public open space as detailed within Local Plan Policy BSC11, Local standards on provision-Outdoor Recreation. This policy requires development proposals to contribute to the provision of open space, sport and recreation, together with a secure arrangement for its management and maintenance. The updated masterplan has resulted in the majority of the Cutters Brook flood plain being retained and an increase to the buffer to the SAM which equated to an increase of open space by approximately 20%.
- 8.47. Allotments will be accommodated in close proximity to the SAM buffer, Children's play areas, sports pitches and courts are all being integrated into the Bicester sites in accordance with the parameter standards set out within the Local Plan.
- 8.48. The breakdown of the open space typology is provided within table 7.2, open space provision of the Planning Statement and within the Design and access statement. The indicative on site provision for general open space, including mitigation planting will measure approximately 37.87 hectares, with play provision accounting for 1.31 hectares of play provision. Outdoor sports pitches will account for 4.11 hectares of the site whilst allotments, nature conservation areas, retained pasture and ponds contribute approximately a further 28 hectares.

Impact on the Scheduled Ancient Monument

- 8.49. Policy Bicester 12 refers to the existing Scheduled Ancient Monument and general cultural heritage. It states that Development proposals should protect Cultural heritage and archaeology, in particular the Grade II Listed Wretchwick Farmhouse and the deserted Wretchwick Medieval Settlement, a Scheduled Ancient Monument, and incorporate an appropriate landscape buffer, to maintain the SAM's open setting. In consultation with Historic England, appropriate public access and interpretation facilities should be provided.
- 8.50. The National Planning Policy Framework (NPPF) relating to conservation states that in the determining an application the applicant shall be required to describe the significance of any heritage assets affected, including any contributions made by their setting. Paragraph 190 of the NPPF also states that Local Planning Authorities should identify and assess the particular significance of any heritage assets that may be affected by a proposal (including by development affecting the setting of the heritage assets, taking into account of the available evidence.
- 8.51. The appellant has submitted significant literature with regard to the deserted Medieval Village of Wretchwick, a Scheduled Ancient Monument, and has conducted an Archaeological desk based study and an archaeological geo-physical survey, based on and in reaction to the original comments received from Historic England. The applicant since that time has worked closely with OCC Archaeology and Historic England to ensure as limited an impact on the SAM is achieved by focusing on the subterranean archaeological remains and on the setting of the designated heritage asset which has resulted in a significant increase in the size of the buffer zone and ensuring the setting impact is lessened substantially..
- 8.52. The Wretchwick Deserted Medieval Village (DMV) is located in the western part of the main development site and is excluded from the development envelope, albeit,

still within the application site boundary. Evaluation trenching established well preserved remains in an area immediately south west of the identified DMV. Trial trenching associated with the construction of Wretchwick Way, along with an earthwork survey revealed post – medieval ditch enclosure. To the west of Wretchwick Farm fragments of pottery were uncovered suggesting that part of the Medieval Village Lay beneath.

- 8.53. In assessment of the proposed developments impact on the DMV it has been concluded that whilst there will be no direct physical impact on it the proposed development will have some impact on the setting of the scheduled monument. This, as detailed elsewhere in the report, has been a key issue on the assessment of the layout and allocation of the development. This has resulted in the increase in the buffer zone as detailed in paragraph 8.19, which in turn has led to the reduction of the employment allocation and increase of the housing allocation, to ensure viability. This was as a result of a consultation response from Historic England. The buffer will maintain open pasture allowing grazing, retaining an agricultural feel. As part of the further studies, trenching revealed Iron Age occupation, two areas of probably Roman settlement and a post medieval brick kiln, all of which are deemed of local significance. Due to this, a post decision archaeological mitigation excavation and recording will be as a result of relevant conditions being imposed.
- 8.54. It is considered that the development will result in some harm to the DMV, albeit not substantial. It is considered that although this is the case the impact has been significantly reduced and relevant mitigation measures introduced. This has been achieved by extending the buffer around the DMV significantly and by reducing the visual impact, through time, with tree and hedge establishment. Interpretive material will also be erected which will assist the local understanding of the site. The alterations to the scheme has resulted in compliance with the relevant policy and have led to the removal of the Historic England objection subject to conditions.

Ecology and Biodiversity

- 8.55. Cherwell Local Development Plan ESD10 relates to the protection and enhancement of biodiversity and the natural environment. The policy states that with development a net gain of biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources. The northern part of the site falls within the Ray Conservation Target Area (CTA). As detailed in Policy ESD11 the Target Areas have been identified to focus work to restore biodiversity at a landscape scale through the maintenance, restoration and creation of UK BAP priority habitats, and this is their principle aim. Conservation Target Areas represent the areas of greatest opportunity for strategic biodiversity improvement in the District and as such development will be expected to contribute to the achievement of the aims of the target areas through avoiding habitat fragmentation and enhancing biodiversity.
- 8.56. The purpose of the CTA is to focus conservation efforts. Two Local Wildlife Sites (LWS) are located adjacent to the Application Site; the Gavray Drive LWS located to the north west of the CTA and the Blackthorn Meadows LWS located to the south east of the CTA. The CTA designation aims to target conservation projects to maximise their value for other valuable receptors or designated sites. The need for a Nature Conservation Area has been established. This, in turn, has led to the identification of the opportunity to connect the two LWS sites (Gavray Drive Meadows and Meadows NW of Blackthorn) by locating the Nature Conservation Area within a large part of the Ray CTA. This will create a key wildlife corridor along the northern part of the Application Site that will be of significant ecological value in its own right.

- 8.57. The Ray CTA occupies approximately 55 ha of the Application Site. This area is characterised by a number of habitats such as lowland meadow, wet grassland/floodplain grazing marsh, hedgerows and ponds. Of this, approximately 17.3ha is proposed for built development. Policy does allow for development within the CTA. Policy ESD11: Conservation Target Area (which forms the 'main' CTA policy) sets out *"Where development is proposed within or adjacent to a Conservation Target Area biodiversity surveys and a report will be required to identify constraints and opportunities for biodiversity enhancement. Development which would prevent the aims of a Conservation Target Area being achieved will not be permitted..."*. As demonstrated through the supporting documents, opportunities to enhance biodiversity within the CTA have been considered and adopted.
- 8.58. Within the CTA, and in line with the aims of the CTA, habitats will be created in the form of reed bed creation, creation of new ponds, management of hedgerows and lowland meadow management. Within the revisions to the masterplan, the majority of the floodplain has been retained in its current form as opposed to the profiling previously proposed in 2016.
- 8.59. The proposed development has been the subject of considerable investigation by CDC Ecology, BBOWT (Berkshire, Bucks & Oxon Wildlife Trust) Ecology and the applicants Ecology consultants. The submission included an Environmental Statement a Biodiversity Impact Assessment (BIA) and a High Level Ecological Management Plan.
- 8.60. As detailed in the CDC Ecology consultation response. The majority of issues have been addressed, and those remaining can be covered through the imposition of conditions. It has also been agreed with the applicant that the required changes that are required to be made to the HLEMP document and the clarification of certain other points will be conditioned, in the interests of a timeous resolution. This has been addressed in the BSG ecology submission P18-805-Wretchwich Green – Ecology Letter to CDC dated 5th October 2018 and agreed by Paul Evans, CDC Ecologist. A habitat management plan will also be conditioned to be submitted at the reserved matters stage.

Landscape and Visual Impact

- 8.61. Cherwell Local Plan Policy ESD 13 relates to Local Landscape Protection and enhancement. The policy states that opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in the urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate, the creation of new ones. Development will be expected to respect and enhance local landscape character.
- 8.62. The site and the 6km study area are situated within 3 National character areas; NCA 107: Cotswolds, NCA108: Upper Thames Clay Vales (the application site is within this area) and NCA109: Midvale Ridge. NCA 108 is characterised by "a broad belt of open, gently undulating lowland Farmland". The area includes enclosed pastures of the claylands with wet valleys, mixed farming, hedges etc and more settled open, arable land. The site is in keeping with the description as it has gently undulating arable fields separated by field hedges. Despite being predominantly rural in nature the site is bound on two sides by the urban fringe of Bicester. This includes light industrial warehouses at Bicester Park, residential areas of Langford Village, Graven Hill residential development and storage compound and the railway line to the north.

- 8.63. It is appreciated that there will be a significant change from the existing rural, low lying flat landform, in the form of open pasture to a mixed use development site with varying sizes of structure. Although this is acknowledged, the assessment needs to examine whether the proposal will have a detrimental impact on the area or will be visually integrated to the existing built environment which surrounds it.
- 8.64. Within the immediate locale, there are opportunities for longer views and vistas into the site. These points are usually from higher ground, and in this instance from Graven Hill to the south west of the site and Blackthorn hill to the south east. Whilst these allow are greater visual appreciation of the area generally, they also provide and element of containment of the site.
- 8.65. As part of the visual assessment a full landscape and Visual Impact Assessment (LVIA) has been submitted. This assessment identifies the A41 as a key area in terms of visual impact. The area of the A41 between Blackthorn Hill and the roundabout west of the application site, it is judged that the scale of effects experienced increases as uses approach the application site. Effects would be greatest where the route passes immediately to the south west of the site. At this point, direct views of the residential properties proposed in the south of the application site would be possible, above the existing residential properties, as shown in viewpoint 5 (Figure 7.10) of the LVIA. It is assumed that most of the hedgerows along this site boundary will be removed for the site access allowing views directly into the application site. It is therefore judged that along this stretch of the route, the scale of effects would be largest.
- 8.66. Due to this there is a requirement for appropriate and proportionate landscape mitigation measures for the highway access off the A41 to counter the visual harm of this development to the visual receptors, especially pedestrians. It is considered that the indicative landscape Layout on the Draft Revised Land use Framework Plan has identified the need for sufficient amount of space for landscaping/street trees to be allocated either side of the entrance and central avenue, and demonstrate the entrance to the site should be able to achieve an attractive landscape.
- 8.67. The LVIA within the Environmental Statement provides an overview of relevant legislation, planning policy and an overview of guidance methodology. The documentation also examines and assesses the existing landscape and the visual baseline environments as well as their sensitivity to change.
- 8.68. The supporting information submitted has assessed the key types of visual receptors and assessed the key routes and viewpoints and has demonstrated these within 10 representative viewpoints. These have demonstrated that the landscape sensitivity is generally medium to low. The outcome being that the existence of the existing settlements/developments, large industrial buildings and the relative flatness of the site being responsible for the level of impact when viewed from outside of the site. As stated earlier in the report, there will be an obvious change in landscape characteristics and visual impact which confirms that there would be localised significant impacts on the existing character type. Agricultural fields will be replaced by residential units, public open space, SUDS schemes etc and the existing natural boundaries will be altered and removed in areas. Despite the proximity to the edge of Bicester, the existing vegetation creates a distinct urban-rural. Therefore it is judged that within the site itself there will be a high impact which this impact lessening the further from the site you travel. Despite this change in landscape character, it is not one that is out of place in the immediate locale and in turn will be integrated in to the surrounding built environment and will in turn create a new urban edge with rural characteristics beyond.

- 8.69. The proposed development would be visible from a small number of locations towards the existing southern edge of Bicester. The impact of the development of these areas has been assessed and is considered to be negligible. This would also be the impact on the settlements within 6km, with only very sporadic views being achieved.
- 8.70. The existing Public Rights of Ways and footpaths in the immediate locale and which run through the site will obviously be severely impacted upon. From the top of Blackthorn Hill, where the bridle way lies, there would be moderate to significant visual impact. This is also the case when considering National Cycle Route 51, generally, recreational routes more than 1km from the application site will have a negligible impact.
- 8.71. As a result of the identified impacts, a number of mitigation measures have been carried out and identified going forward. These have been detailed in section 7.212 of the Planning Statement. These include the following; retain hedgerows where possible; new landscape planting; replication of the existing green boundary to Bicester; exiting features identified to be of ecological importance are retained forming an integral part of the green infrastructure; introduction of formal play/sports/general recreation areas; creation of a community orchard/allotments; retention and enhancement of all PROW etc.
- 8.72. It is accepted that the development would introduce an area of new development that would not be out of character in the context of the surrounding area, albeit, a significant departure from what currently exists. The proposals will introduce additions public open space, tree and hedgerow planting as well as the creation of a wetland habitat. The proposals and the mitigation proposed can be covered by condition and are considered appropriate for the development and the Local Plan Policies to which it relates.

Drainage

- 8.73. Policies ESD6 and ESD7 relate to the Sustainable Flood Risk Management and Sustainable Drainage Systems respectively. Policy ESD 6 requires that developments are assessed according to the sequential approach and where necessary the exceptions test as set out in the NPPF and NPPG. Policy ESD7 Sustainable Drainage Systems (SuDs) requires that all development will be required to use SuDS for the management of surface water run-off. The policy reiterates the need to protect ground water quality, reduce flood risk where possible, reduce pollution and provide landscape and wildlife benefits.
- 8.74. The original application submission in 2016 proposed the alteration to the existing floodplain and the ground levels which would have had a knock on impact on the flood storage. Following the submission of the application, the EA stated that its preferred approach would result in as little change to the floodplain as possible. As a result alterations to the masterplan have resulted in the retention of floodplain and a more neutralised setting. As a result, the changes have led to the loss of 6.75 hectares of developable land. The changes retained the majority of the floodplain, the moving of the school playing fields to ensure that they are not in the floodplain and the culverting of the secondary loop crossing at the south of the site.
- 8.75. The environment agency have assisted in provided national generalised flood levels, however only a small area of the application site has been modelled. Modelling was undertaken and run for a range of fluvial events ranging from 1 in 2 year events to extreme 1 in 1000 year events. The flood modelling confirmed that the site, or a large section of it, is covered by a shallow yet wide floodplain which is susceptible to flooding from a range of fluvial events from frequent to extreme. The site generally is

considered to have a very low risk of surface water flooding which the northeast of the site and along Cutters Brook are likely to experience flooding during periods of heavy rainfall. As these areas are not intended to be the subject of heavy development there is considered to be very low and limited risk associate with it.

- 8.76. The Flood Risk Assessment has concluded that the risk from tidal, groundwater, sewer, canal and reservoir flooding is low and that the proposed SuDS will be proposed on the site to store surface water and discharge into Cutters Brook at Greenfield rates, this will offset surface water flooding to the site post-development. The FRA concluded that there is no greater risk of flooding either on or off-site as a result of the development.
- 8.77. Discussions with OCC Drainage have culminated in the removal of the original objections. The applicants drainage consultant have updated the strategy and now includes the constraints and design approach to be adopted and to ensure the most appropriate SuDS design for each parcel of land that comes forward. The changes made in the revised addendum are acceptable to OCC (drainage) and comply with the national Statutory Technical Standards for SuDS to ensure flood risk is not increased. Conditions will be imposed which relate to the surface water drainage and the SuDS management and maintenance plan.
- 8.78. The Environment Agency had a number of issues with regards to the original submission and although a lesser number, still significant objection to the original resubmission of the masterplan. The main issues raised related to ecology issues flood risk, re alignment of Cutters Brook, the river corridor survey the High Level Ecological Management Plan and the Ecology Plans, many of which were out of date. The applicant has since submitted an Updated High Level Ecological Management Plan and the Updated Biodiversity Impact Assessment Calculator, as well as entering into meetings with Oxfordshire County Council Drainage Team.
- 8.79. The proposed conditions submitted by the Environment Agency to be attached to any approval relate to the following: scheme for flood storage compensation, the ecological buffer zone, the realignment and enhancement of watercourses, and the landscape management plan. These conditions as well as the extensive changes to the scheme have allowed both the CDC Ecology department and the Environment Agency to remove their objections.

Section 106 Agreement

- 8.80. As, part of any approval, the applicant is required to enter into a Section 106 agreement. The heads of terms for this Legal agreement are detailed below;
- Primary Schools: Funding £10,772,196
 - Secondary Schools: Funding- school build £9,796,276, Land Contribution:£460,550
 - Special Educational Needs: £973,074
 - Library: £416,342
 - Strategic Transport 1-Duelling of Eastern Perimeter Road: £2,643,008
 - Strategic Transport 2 –South East perimeter road, western section: £1,038,498
 - Off-Site Highway Works: £141,585.87
 - Public Transport Services: £1,532,921
 - Bus Infrastructure: £92,800
 - Public Rights of Way: £165,000
 - Travel Plan Monitoring: £5,320
 - Strategic Waste: £122,010

- Bonds: For all S106 & S278 works (+S38), bonds will be required to safeguard the value of the works etc.
- S106 Monitoring Costs: £19,000
- Housing (affordable/affordable rented/extra care housing etc)
- Drainage (SuDS, Balancing ponds, ditches/swales/watercourses etc)
- Open Space
- Play Provision
- Recreation
- Nature Conservation
- Community
- Public Art
- Public Services (Police and NHS)
- SAM Buffer commuted sum

8.81. The heads of terms with regards the above are ongoing and in some instance are dependent on the outcome of ongoing modelling. The outcome of the modelling may alter how the strategic contributions are spent. A number of OCC responses suggest further discussions during the S106 process. As the modelling and highway position is still currently unclear, there is not currently an opportunity to conclude the S106 discussions.

9. PLANNING BALANCE AND CONCLUSION

- 9.1. The application site, South East Bicester is one of the main strategic development sites for Bicester. The site is allocated within the Cherwell District Local Plan 2011-2031, under Policy Bicester 12, for mixed use development. The adopted policy site is 155 hectares of allocated mixed use land, encompassing residential and employment. This policy as well as the support of growth by the Government, the announcement of Bicester as a Garden Town and given the locational significance to the Oxford to Cambridge corridor, Bicester being part of the £700 million spending programme, as detailed in the joint review and autumn statement are also elements which need to be considered. This further supports the strategic importance of the site, locally and nationally and further supports the sites importance to the successful delivery of the spatial strategy. The proposed development is considered fundamentally important in delivering the homes and jobs to meet out the government and Local Plan objectives.
- 9.2. The proposed development accords with the Local Plan Policy Bicester 12. Given the further revised submission in July 2018 the proposals are considered to largely comply with the set out requirements, whilst reacting to the concerns and constraints which have been highlighted through consultation responses and discussions since the original submission in 2016.
- 9.3. As per the Relevant Local Development Plan Policy Bicester 12, the applicant is proposing up to 1500 dwellings, with 30% affordable, a reduction in the employment proposals to ensure deliverability of the residential and other supporting development. This has been accepted in principle by the Local Planning Authority.
- 9.4. The core principles of the NPPF are considered to be met. The proposals are considered, over the 2.5 years since its submission, to have addressed the primary issues which have been raised and has responded to the constraints identified. The site is considered to be sustainable in an identified allocated site. The proposals have been assessed against the relevant Local Development Plan Policies and Supplementary Planning Guidance. The proposals are considered to demonstrate compliance with the relevant planning policy in terms of providing and responding to employment and housing needs.

- 9.5. The proposals are at outline stage and are considered acceptable, the conditions and parameters agreed will ensure that the application will be deliverable whilst ensuring the constraints and requirements of the conditions and S106 agreement can be met.

10. RECOMMENDATION

Delegate to the Assistant Director of Planning Policy and Development to grant planning permission, subject to:

1. continuing negotiations in respect of the highways infrastructure,
2. in the event that the highways infrastructure contributions are not resolved satisfactorily then the application will be reported back to committee with a revised recommendation
3. Conditions (the exact conditions and the wording of those conditions to be delegated to the Assistant Director for Planning Policy and Development).
4. Completion of a planning obligation under Section 106 of the Town and Country Planning Act 1990, as substituted by the Planning and Compensation Act 1991, in accordance with paragraphs 8.80 and 8.81

Proposed draft conditions will follow in the written updates.

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