

Cherwell District Council

Executive

1 February 2016

<p>North West Bicester Supplementary Planning Document (SPD)</p>

Report of Head of Strategic Planning and the Economy

This report is public

Purpose of report

To update the Executive on the outcome of the recent consultation on the draft North West Bicester Supplementary Planning Document (SPD) and associated documents, and allow the Executive to consider whether to recommend that the Council adopts the SPD (as amended) as a Supplementary Planning Document.

1.0 Recommendations

The meeting is recommended:

- 1.1 To note the progress in preparing the North West Bicester SPD since the update report to the Executive on 1 June 2015.
- 1.2 To agree the response to the representations received and resulting changes made to the SPD and Statement of Consultation (Appendix 2 and Appendix 3).
- 1.3 To recommend to Full Council to resolve to adopt as a Supplementary Planning Document the North West Bicester SPD (Appendix 1) in accordance with the Town and Country Planning (Local Planning) (England) Regulations 2012.
- 1.4 To delegate to the Head of Strategic Planning and the Economy prior to the publication of the Supplementary Planning Document, the compilation of the final document incorporating the updated text (Appendix 1) and illustrations, and the correction of any minor spelling or grammatical errors.

2.0 Introduction

- 2.1 The North West Bicester strategic development site is identified in Policy Bicester 1 of the adopted Cherwell Local Plan 2011-2031 (Part 1) for a zero carbon mixed use development including 6,000 homes. The site area is approximately 390 hectares (965 acres).

- 2.2 The Town and Country Planning (Local Plan) (England) Regulations 2012 provide the legislative framework for the preparation of supplementary planning documents setting out the form and content of such documents. Further guidance is set out in National Planning Policy Framework (NPPF) paragraph 153. National Planning Policy Guidance (NPPG) states that SPDs should only be prepared where necessary and in line with paragraph 153 of the National Planning Policy Framework (NPPF). It goes on to state that they should build upon policies in the adopted Local Plan.
- 2.3 The proposed development at North West Bicester is recognised locally and nationally as an important project in delivering large scale development to high environmental standards following its identification in 2009 in the Eco-towns Planning Policy Statement (PPS). In March 2015, the Eco-towns PPS was cancelled by the Government for all areas excluding North West Bicester, for which its policies remain at the present time.
- 2.4 In order to assist in delivery of successful schemes through the planning process, a supplementary planning document has been prepared, providing guidance for applicants, developers and landowners preparing proposals and planning applications for the eco-town at North West Bicester. The SPD also sets out a planning framework to develop proposals from the masterplanning stage to submission of detailed planning applications and implementation. At its meeting on 1 June 2015, the Executive approved a draft SPD to be used on an interim basis for development management purposes.
- 2.5 **Cherwell Local Plan 2011-2031**
- 2.6 The Cherwell Local Plan 2011-2031 (Part 1) was adopted on 20 July 2015. It forms part of the development plan for the area and the SPD must not conflict with it. Policy Bicester 1 of the adopted Local Plan sets out planning requirements and key site specific design and place shaping principles for the proposed development. The policy refers to the approval of a comprehensive masterplan for the site as part of the North West Bicester SPD.
- 2.7 **North West Bicester Planning Applications**
- 2.8 The current planning applications for the North West Bicester site are summarised below:
- 2.9 The exemplar application (planning application reference: 10/01780/HYBRID) was approved in July 2012 and comprises 393 new homes, a local centre and primary school. Construction began on this phase began in 2014. It is supported by a framework masterplan on which the Masterplan and Vision documents submitted by the developers in March 2014 have built.
- 2.10 Application 1 (planning application reference: 14/01384/OUT) was approved at the March 2015 planning committee, subject to completion of a Section 106 agreement for up to 2,600 new homes (including up to 250 extra care homes), green infrastructure, new primary school site and a new local centre. The application also included details of access arrangements and the partial realignment of Bucknell Road.

- 2.11 Application 2 (planning Application reference: 14/01641/OUT) was approved subject to completion of the Section 106 agreement in October 2015. It proposes up to 900 new homes, open space, primary school site, secondary school and local centre. It also proposes part of the realigned Howes Lane and site access.
- 2.12 Application 3 (planning application reference: 14/01675/OUT) proposes an employment-led mixed used development of up to 53,000 square metres (570,500 sq ft) general industrial uses (within Use Class B2 of the Use Classes Order), storage or distribution (within Use Class B8), ancillary business uses including offices (within Use Class B1) and residential land for approximately 135 new homes. It is due to be determined at the Planning Committee meeting in January 2016.
- 2.13 Application 4 (Planning application reference: 14/01968/FUL) proposes the construction of a new road to realign Howes Lane (A4095).
- 2.14 Application 5: (Planning Application reference: 14/02121/OUT) proposes up to 1,700 homes, a retirement village, commercial development and social and community facilities, a primary school and energy centre on land east of Middleton Stoney Road.
- 2.15 Although the applications submitted to date cover a significant part of the North West Bicester strategic allocation site, the SPD will assist in the determination of those applications yet to be considered by the Planning Committee and guide future applications for the remaining parts of the site including Reserved Matters applications. The Draft was a material consideration in considering Application 1 above.
- 2.16 **Sustainability Appraisal/ Strategic Environmental Assessment**
- 2.17 The basis for Strategic Environmental Assessments (SEA) and Sustainability Appraisal legislation is European Directive 2001/42/EC which was transposed into English law by the Environmental Assessment of Plans and Programmes Regulations 2004, SEA Regulations. Detailed Guidance of these regulations can be found in the Government publication 'A Practical Guide to the Strategic Environmental Assessment Directive' (ODPM 2005).
- 2.18 The 2008 Planning Act and subsequent regulations removed the requirement to undertake a sustainability appraisal for a supplementary planning document. The screening of plans, programmes and policies including SPDs is still required by SEA regulations. SPDs do not normally introduce new policies or proposals or modify planning documents which have already been subject to Sustainability Appraisal/SEA (as in the case of the adopted Cherwell Local Plan 2011-2031). The North West Bicester SPD has been produced to be in general conformity with the Local Plan and benefits from the Plan's SA/SEA process. The screening process followed in preparing the SPD concluded that an SEA was not required for the SPD, as it is unlikely to result in any significant effects that have not been assessed by the Local Plan SA/SEA.
- 2.19 In accordance with the Environmental Assessment of Plans and Programmes Regulations 2004, formal consultation with consultation bodies (Environment Agency, Natural England and Historic England) on the SEA screening statement

has taken place and was publicised as part of the consultation on the draft SPD and accompanying Statement of Consultation between 20th November and 18th December 2015. None of the consultation bodies raised any concerns or objection to the screening statement.

2.20 Update

2.21 Since the previous report the following tasks have been completed:

- 2.21.1 Consideration of the Local Plan Inspector's Report and the government's intended revocation of the Eco-Towns supplement to former PPS1 following the adoption of the Local Plan, with consequential changes made to the draft SPD ;
- 2.21.2 Consultation on the SEA Screening with the Environment Agency, Natural England and Historic England and making the screening statement publicly available;
- 2.21.3 Publication of issues raised through all the regulatory stages of SPD preparation and how this informed the preparation of the SPD, contained in a revised Statement of Consultation.
- 2.21.4 Consultation on the draft SPD, SEA screening and Statement of Consultation, undertaken from 20 November to 18 December 2015.

3.0 Report Details

- 3.1 The Executive, at its meeting on 1 June 2015, authorised the Head of Strategic Planning and the Economy to make any necessary minor amendments to the SPD in consultation with the Lead member for Planning. Since the approval of the draft SPD at that meeting for development management purposes on an interim basis, minor revisions have been made to the draft SPD, and the draft SPD together with its Statement of Consultation and SEA Screening Statement have been out to consultation. The Final Draft SPD published for public consultation in November 2015 is attached as Appendix 4 to this report.
- 3.2 The Cherwell Local Plan (Part 1) was adopted on 20th July 2015, and the SPD was reviewed in the light of the adoption of the Local Plan prior to further consultation being undertaken. The SPD has also been reviewed in the light of the Government's previously stated intention of cancelling the Eco-towns PPS for North West Bicester once the Local Plan was adopted. The references to the Eco-towns Planning Policy Statement (PPS) in the SPD have been revised in the final SPD to ensure consistency with the adopted Local Plan. For example, the Eco-towns standards in the PPS have been incorporated into the final SPD. Other amendments made to the SPD prior to being published for consultation in November 2015 comprised:
 - Updating references to the Eco towns PPS and the Cherwell Local Plan
 - Including the North West Bicester Masterplan Framework drawings in the main part of the SPD
 - Removing the Spatial Framework Plans and replacing them with the North West Bicester Masterplan Framework drawings
 - Removing the hedgerow buffers appendix supporting Development Principle 9 (c) and Development Principle 9 (c) to reflect the inclusion of the North West Bicester Green Infrastructure Framework
 - Updating the Cultural Wellbeing Strategy

- Updating references to the Code for Sustainable Homes in terms of daylighting and water
- Minor amendments to the appearance of the SPD including the deletion of some headings, figures used to illustrate the SPD and page layouts.

3.3 Consultation Undertaken

3.4 The Town and Country Planning (Local Planning) (England) Regulations 2012 sets out the requirements of a local planning authority before it adopts a supplementary planning document. In accordance with the Regulations (Regulation 12), the Council has prepared a Statement of Consultation setting out:

- 3.4.1 The persons the local planning authority consulted when preparing the SPD;
- 3.4.2 A summary of the main issues raised by those persons; and
- 3.4.3 How those issues have been addressed in the SPD.

3.5 Consultation on the Statement of Consultation together with further consultation on the Draft SPD and publicity of the Screening Statement on the determination of the need for a SEA was carried out between 20th November and 18th December 2015. It was publicised widely on Cherwell District Council's website and in the local press. Those people on the Local Plan database were notified direct.

3.6 Responses were received from statutory bodies, developers and local residents all relating to the SPD. In total, 17 responses were received. The consultation responses have been summarised as part of the consideration by officers. Further minor amendments to the document are proposed and have been made to the SPD as a result. The changes have been incorporated into the text of the Final SPD which is contained in Appendix 1. Only one change is proposed to the maps and illustrations contained in the Final draft SPD (November 2015), and that is the addition of the Inset Map for Policy Bicester 1 from Cherwell Local Plan Part 1 to accompany the policy text in Appendix I of the SPD. A summary of the consultation responses, officer comment and proposed changes is contained in Appendix 2. In summary, the main issues raised through the consultation exercise are:

- General support for the SPD;
- Detailed comments on specific development principles and requirements
- Reiteration of previously made comments in responses to earlier consultation exercises
- The importance of the bridleway running through the site
- The mechanism for infrastructure provision and delivery
- Detailed employment and transport comments particularly relating to the proposed business park and realignment of Howes Lane and
- Landscape and biodiversity

3.7 None of the responses were directly related to the Statement of Consultation or Screening Statement.

3.8 In summary, since the previous Executive Report in June 2015, the following tasks have been completed to allow the adoption of the SPD:

- Formal consultation/ publicity on the Screening Statement setting out the Council's determination that a full Strategic Environmental Assessment is not required;
- Further review of the SPD and consultation following the adoption of the Cherwell Local Plan and cancellation of the Eco-towns PPS;
- An update and further consultation on the Statement of Consultation
- Finalising the SPD text and Statement of Consultation following the consultation

3.9 Work on the SPD has continued to progress to the point that it can be recommended for adoption in accordance with the timescale set out in the Council's Local Development Scheme and planning programme for North West Bicester. Once adopted by the Council, the North West Bicester SPD and adoption statement will be made available in accordance with Regulation 35, and copies of the adoption statement sent to those who have asked to be notified of its adoption, in accordance with the requirements of Regulation 14 of the Town and Country Planning (Local Plans) (England) Regulations 2012.

4.0 Conclusion and Reasons for Recommendations

4.1 This report updates the Executive on the further work that has been completed to progress the SPD to adoption. Following further consultation on the North West Bicester SPD at the end of 2015 (as summarised in Appendix 2 and 3) the final version of the North West Bicester SPD has been prepared. The consultation has not identified any new issues that have not already been considered in the production of the draft SPD. It is recommended that the Executive recommend to Full Council to resolve to formally adopt the SPD as contained in Appendix 1.

4.2 The Executive is recommended to note the progress that has been made with the SPD and recommend the adoption of the North West Bicester SPD as amended for development management purposes. This report also seeks delegated authority for the Head of Strategic Planning and the Economy to compile the final SPD for publication combining the amended text contained in Appendix 1 with illustrations, and correct any minor spelling or grammatical errors.

5.0 Consultation

5.1 In addition to the consultation on the document set out above, internal consultation has been carried out throughout the preparation of the SPD.

6.0 Alternative Options and Reasons for Rejection

6.1 The following alternative options have been identified and rejected for the reasons as set out below.

Option 1: To not progress the preparation of the North West Bicester SPD and rely only on the adopted Cherwell Local Plan 2011-2031 Policy Bicester 1 – rejected given the general support for the content of the SPD, and its role in guiding the

preparation of planning applications and as informal detailed guidance in determining planning applications.

7.0 Implications

Financial and Resource Implications

7.1 The cost of producing the SPD can be met within existing budgets.

Comments checked by:

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Legal Implications

7.2 Supplementary planning documents are capable of being a material consideration in planning decisions and will guide applicants in making suitable planning applications for development at North West Bicester.

Comments checked by:

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8.0 Decision Information

Key Decision No

Financial Threshold Met: No

Community Threshold Met: No

Wards Affected

Bicester Wards

Caversfield

Chesterton and Ambrosden

Launton

Bucknell

Middleton Stoney

Links to Corporate Plan and Policy Framework

This report directly links to all four of the corporate priorities and objectives set out in the Cherwell District Council Business Plan 2014-15 as follows:

Cherwell - A District of Opportunity

Cherwell – Safe, Clean and Green

Cherwell – Thriving Communities

Cherwell – Customer focussed Council

In addition it links to the strategic priorities for the Bicester projects.

Lead Councillor

Councillor Michael Gibbard, Lead Member for Planning

Document Information

Appendix No	Title
1	North West Bicester Supplementary Planning Document
2	Summary of consultation responses, officer response and proposed changes
3	Statement of Consultation
4	North West Bicester Supplementary Planning Document Final Draft November 2015
Background Papers	
None	
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