



To: **Members of the Planning & Regulation Committee**

***Notice of a Meeting of the Planning & Regulation
Committee***

Monday, 26 March 2018 at 2.00 pm

Committee Rooms 1 & 2, County Hall, New Road, Oxford

A handwritten signature in black ink that reads "Peter G. Clark".

Peter G. Clark
Chief Executive

March 2018

Committee Officer: **Graham Warrington**
Tel: 07393 001211; *E-Mail:*
graham.warrington@oxfordshire.gov.uk

Members are asked to contact the case officers in advance of the committee meeting if they have any issues/questions of a technical nature on any agenda item. This will enable officers to carry out any necessary research and provide members with an informed response.

Membership

Chairman – Councillor Les Sibley
Deputy Chairman - Councillor Jeannette Matelot

Councillors

Mrs Anda Fitzgerald-
O'Connor
Mike Fox-Davies
Stefan Gawrysiak
Bob Johnston

Mark Lygo
Glynis Phillips
G.A. Reynolds
Judy Roberts

Dan Sames
Alan Thompson
Richard Webber

Notes:

- **Date of next meeting: 14 May 2018**

Declarations of Interest

The duty to declare.....

Under the Localism Act 2011 it is a criminal offence to

- (a) fail to register a disclosable pecuniary interest within 28 days of election or co-option (or re-election or re-appointment), or
- (b) provide false or misleading information on registration, or
- (c) participate in discussion or voting in a meeting on a matter in which the member or co-opted member has a disclosable pecuniary interest.

Whose Interests must be included?

The Act provides that the interests which must be notified are those of a member or co-opted member of the authority, **or**

- those of a spouse or civil partner of the member or co-opted member;
- those of a person with whom the member or co-opted member is living as husband/wife
- those of a person with whom the member or co-opted member is living as if they were civil partners.

(in each case where the member or co-opted member is aware that the other person has the interest).

What if I remember that I have a Disclosable Pecuniary Interest during the Meeting?.

The Code requires that, at a meeting, where a member or co-opted member has a disclosable interest (of which they are aware) in any matter being considered, they disclose that interest to the meeting. The Council will continue to include an appropriate item on agendas for all meetings, to facilitate this.

Although not explicitly required by the legislation or by the code, it is recommended that in the interests of transparency and for the benefit of all in attendance at the meeting (including members of the public) the nature as well as the existence of the interest is disclosed.

A member or co-opted member who has disclosed a pecuniary interest at a meeting must not participate (or participate further) in any discussion of the matter; and must not participate in any vote or further vote taken; and must withdraw from the room.

Members are asked to continue to pay regard to the following provisions in the code that *“You must serve only the public interest and must never improperly confer an advantage or disadvantage on any person including yourself”* or *“You must not place yourself in situations where your honesty and integrity may be questioned.....”*.

Please seek advice from the Monitoring Officer prior to the meeting should you have any doubt about your approach.

List of Disclosable Pecuniary Interests:

Employment (includes *“any employment, office, trade, profession or vocation carried on for profit or gain”*.), **Sponsorship, Contracts, Land, Licences, Corporate Tenancies, Securities.**

For a full list of Disclosable Pecuniary Interests and further Guidance on this matter please see the Guide to the New Code of Conduct and Register of Interests at Members’ conduct guidelines.

<http://intranet.oxfordshire.gov.uk/wps/wcm/connect/occ/Insite/Elected+members/> or contact Glenn Watson on **07776 997946** or glenn.watson@oxfordshire.gov.uk for a hard copy of the document.

If you have any special requirements (such as a large print version of these papers or special access facilities) please contact the officer named on the front page, but please give as much notice as possible before the meeting.

AGENDA

1. **Apologies for Absence and Temporary Appointments**
2. **Declarations of Interest - see guidance note opposite**
3. **Minutes** (Pages 1 - 8)

To approve the minutes of the meeting held on 19 February 2018 (**PN3**) and to receive information arising from them.

4. **Petitions and Public Address**
5. **Chairman's Updates**
6. **New secondary school (Alchester Academy) with associated hard and soft landscaping, car parking, playing fields and infrastructure on land in the Kingsmere Development in South West Bicester - Application No. R3.0003/18** (Pages 9 - 24)

Report by the Director for Planning & Place (**PN6**).

This is a planning application to provide a new Secondary School in the Kingsmere development of South West Bicester. The application includes a three storey building, MUGA, playing fields and car parking. The site is within an area granted planning permission in outline by Cherwell District Council.

There have been a number of third party objections to the application, particularly in relation to the likelihood that children might access the schools via private cul-de-sacs. As a result of those objections, the application is being brought to the Planning & Regulation Committee for determination..

It is RECOMMENDED that subject to a Unilateral Undertaking to pay £2,040 for travel plan monitoring that planning permission for application no. R3.0003/18 be approved subject to conditions to be determined by the Director of Planning and Place to include the following:

- I. Detailed compliance.***
- II. Permission to be implemented within 3 years.***
- III. Prior to the first occupation of the school buildings, a school travel plan shall be submitted to and approved by the County Planning Authority.***
- IV. The approved travel plan to be implemented within three months of the school's opening.***
- V. The community use of the school premises including the associated use of***

any external lighting shall be only between the following hours:

07.00 – 22.00 Monday to Saturdays and

07.00 – 18.00 on Sundays

- VI. No external lighting shall be erected and used until a scheme of lighting has been submitted to and approved by the County Planning Authority.*
- VII. No development other than groundworks and landscaping shall take place until a scheme showing the type and location of bird boxes has been submitted to and approved by the County Planning Authority. The agreed scheme shall be implemented thereafter.*
- VIII. Prior to the construction of the car park, a detailed layout shall be submitted to and approved by the County Planning Authority.*
- IX. Prior to first occupation of the school, the location and design of the bin store shall be submitted and approved. The agreed scheme shall be implemented.*
- X. No development shall take place within 10m of the existing public footpath, until details of how the footpath will be protected has been submitted to and approved by the County Planning Authority.*

7. Relevant Development Plan and other Policies (Pages 25 - 34)

Paper by the Director for Planning & Place (**PN7**),

The paper sets out policies in relation to Item 6 and should be regarded as an Annex to that report.

Pre-Meeting Briefing

There will be a pre-meeting briefing at County Hall on **Monday 26 March 2018** at **11.30 am** for the Chairman, Deputy Chairman and Opposition Group Spokesman.

PLANNING & REGULATION COMMITTEE

MINUTES of the meeting held on Monday, 19 February 2018 commencing at 2.00 pm and finishing at 3.40 pm

Present:

Voting Members: Councillor Les Sibley – in the Chair

Councillor Jeannette Matelot (Deputy Chairman)
Councillor Mrs Anda Fitzgerald-O'Connor
Councillor Mike Fox-Davies
Councillor Stefan Gawrysiak
Councillor Bob Johnston
Councillor Mark Lygo
Councillor Glynis Phillips
Councillor G.A. Reynolds
Councillor Judy Roberts
Councillor Alan Thompson
Councillor Richard Webber
Councillor Liam Walker (In place of Councillor Dan Sames)

Other Members in Attendance: Councillor Ian Corkin (for Agenda Items 6 & 10)

Officers:

Whole of meeting G. Warrington & D. Mytton (Law & Governance); C. Kenneford & D. Periam (Planning & Place)

Part of meeting

Agenda Item	Officer Attending
6 & 7	M. Thompson (Planning & Place)
8	K. Broughton (Planning & Place) and S. Lawley (County Ecologist)
10	C. Hodgkinson (Planning & Place)

The Committee considered the matters, reports and recommendations contained or referred to in the agenda for the meeting, together with a schedule of addenda tabled at the meeting and decided as set out below. Except as insofar as otherwise specified, the reasons for the decisions are contained in the agenda, reports and schedule, copies of which are attached to the signed Minutes.

7/18 APOLOGIES FOR ABSENCE AND TEMPORARY APPOINTMENTS
(Agenda No. 1)

<i>Apology for Absence</i>	<i>Temporary Appointment</i>
Councillor Dan Sames	Councillor Liam Walker

8/18 DECLARATIONS OF INTEREST - SEE GUIDANCE NOTE OPPOSITE
(Agenda No. 2)

7. Appleford Depot - Application MW.0109/17

Councillor Richard Webber declared a non-pecuniary interest insofar as he chaired the Sutton Courtenay Local Liaison Committee. He advised that he had not expressed a view with regard to Application MW.0109/17 and therefore intended to take part in any discussion and voting.

9/18 MINUTES
(Agenda No. 3)

The minutes of the meeting held on 8 January 2018 were approved and signed.

10/18 PETITIONS AND PUBLIC ADDRESS
(Agenda No. 4)

<i>Speaker</i>	<i>Item</i>
Councillor Ian Corkin (Local Member)	6. Application to modify or discharge Section 106 Planning Obligations at Finemere Quarry, Finmere – Application MW.0110/17
Councillor Ian Corkin (Local Member)	10. Report on proposed planning enforcement action at Elm Farm Quarry, Stratton Audley

11/18 APPLICATION TO MODIFY OR DISCHARGE SECTION 106 PLANNING OBLIGATIONS AT FINMERE QUARRY, FINMERE - APPLICATION NO. MW.0110/17

(Agenda No. 6)

The Committee considered (PN6) an application to discharge obligations set out in existing Section 106 legal agreements linked to minerals and waste development at Finmere Quarry.

Mary Thompson presented the report together with the terms of a revised recommendation as set out in the published addenda. That revision followed an amendment to the application by the applicant withdrawing the requested modification and discharge of the provisions which related to the restoration bond. Therefore, the application now only related to the modification and discharge of the hinterland provisions.

Councillor Ian Corkin speaking as local member supported the revised recommendation which now met his earlier concerns regarding the restoration bond.

RESOLVED: (on a motion by Councillor Johnston, seconded by Councillor Lygo and carried unanimously) that amended application MW.0110/17 be approved and that the Director for Planning and Place be authorised to enter into a deed of variation to remove the obligations which related to hinterland restrictions on the source of waste to the site.

12/18 CONTINUATION OF THE DEVELOPMENT PERMITTED BY P17/V0138 (MW.0005/17) (THE DEMOLITION OF EXISTING ASPHALT PLANT AND CONSTRUCTION AND OPERATION OF A REPLACEMENT ASPHALT PLANT WITH ANCILLARY PLANT AND MACHINERY, A NEW WEIGHBRIDGE AND PORTABLE OFFICE) WITHOUT ACCORDING WITH CONDITION 3, IN ORDER TO ALLOW EXTENDED HOURS OF OPERATION AT APPLEFORD DEPOT, APPLEFORD SIDINGS, APPLEFORD ROAD, SUTTON COURTENAY - APPLICATION NO. MW.0109/17

(Agenda No. 7)

The Committee considered an application to amend a condition to an existing planning consent for an asphalt plant at Appleford Depot. That condition stipulated that operations should only take place between 6am and 6pm Mondays to Sundays and that anything outside of those hours must be subject to prior notification and approval from the Minerals Planning Authority. The amendment now applied for would allow 24 hour working on 180 days each calendar year thereby obviating the need to obtain advance approval. The applicant had stated that the current condition was not practical because of the requirement to work outside the core hours, often at short notice, in order to supply asphalt for overnight road works.

Mary Thompson presented the report together with details of a lighting plan submitted by the applicant since the report's publication. That had required an

additional condition to be added to the officer recommendation as set out in the published addenda.

Councillor Webber referred to high levels of development in this area which in addition to local operations also included Didcot B and Milton Park. All of this had a high cumulative impact on the area and with this particular application, seeking to increase a current 10% limit for work outside core hours to 6 months out of each year that could only increase and it seemed to local residents that operators were not taking these pressures into consideration. That was apparent by a lack of early and meaningful engagement with the local liaison committee which was being bypassed with regard to such applications with operators appearing to ride roughshod over the views of the local community. He felt it was imperative that there should be worthwhile dialogue with operators at the earliest opportunity regarding these applications. With regard to this application he accepted that there would be emergency situations when material was required but could see little justification for this level of increase.

Councillor Phillips expressed concern regarding potential noise levels and supported calls for greater involvement on the part of operators with the local community.

Ms Thompson confirmed that night time working had been going on for some years with no specific complaints received which related to this specific operation although complaints had been received regarding train movements in the area but that was a separate issue.

Mr Periam confirmed that engagement by operators at a local liaison committee could not be secured by condition but suggested an informative could be added to any permission to that effect.

Councillor Johnston agreed that operators needed to be reminded that realistic and early engagement with local communities was in their own interests.

Councillor Fox-Davies asked whether it was feasible to seek a figure between the current 10% and 180 days in order to mitigate any environmental impact.

Mr Periam advised that it wasn't possible on the information received to conclude that an increase to 180 days was unreasonable and therefore hard to justify why that figure should be restricted. There had been no previous limits and the 180 day request had been based on a need for greater flexibility in order to meet demand.

Mr Mytton advised that conditions could be imposed as long as they did not materially change the application but would need to be justified.

Replying to Councillor Thompson Ms Thompson confirmed that proposed conditions would require records to be kept and made available on request. Also it seemed reasonable to assume that more working at night would reduce daily movements.

Responding to Councillor Roberts Mr Periam confirmed that If complaints were received regarding noise then monitoring would be carried out. That would be done without giving the operator prior notice but it was unlikely that any monitoring would be carried out over a period of a week at any one time.

RESOLVED: (on a motion by Councillor Reynolds, seconded by Councillor Phillips and carried by 12 votes to 0, Councillor Webber recorded as having abstained) that amended application MW.0109/17 be approved subject to:

- (a) conditions set out in Annex 2 to the report PN7, as amended by Annex 1 also to that report;
- (b) an additional condition for the submission and approval of a detailed lighting plan;
- (c) an additional informative advising the applicant to ensure that future planning proposals at this site were discussed with the local liaison group at an early stage.

13/18 CONTINUATION OF DEVELOPMENT WITHOUT COMPLYING WITH CONDITION 2 (MINERAL EXTRACTION CESSATION DATE) OF PLANNING PERMISSION NO. 16/02109/CM (MW.0125/16) IN ORDER TO EXTEND THE PERIOD PERMITTED FOR THE EXTRACTION OF MINERAL FROM 31ST DECEMBER 2017 TO 31ST DECEMBER 2018 AT SHIPTON-ON-CHERWELL QUARRY, BUNKERS HILL, KIDLINGTON - APPLICATION NO. MW.0001/18

(Agenda No. 8)

The Committee considered (PN8) a planning application to allow a further period of time, up to 31 December 2018, for the extraction of the mineral at this site.

Presenting the report Mr Broughton also referred to a lengthy submission from Shipton-on-Cherwell parish council received following publication of the report and which had been addressed in the published addenda.

Responding to:

Councillor Phillips - he was not certain whether a Liaison Group existed or had existed but the applicant had indicated a willingness to be involved.

Councillor Fox-Davies – this was a complex site housing a number of different operations and the high number of conditions which related to the original application made back in 2008 needed to be incorporated once again.

Councillor Walker – it was conceivable that an application for a further extension could be made but the applicant expected to remove the material within a year. Vehicle movements were limited to 318 daily.

Councillor Walker then advised that, as a frequent user of the road through Bunkers Hill, he was aware that there was often a lot of mud on the road, bad drainage and numerous potholes and questioned whether adequate monitoring was being carried out.

Councillor Sibley – liaison groups were usually set up by the operator and chaired by the local county councillor. There were wheelwashing facilities on site.

RESOLVED: (on a motion by Councillor Phillips, seconded by Councillor Johnson and carried by 12 votes to 1, Councillor Walker recorded as voting against) that planning permission for application No. MW.0001/18 be approved subject to conditions to be determined by the Director of Planning and Place to include the Conditions set out in Annex 1 to the report PN8 and to an additional informative encouraging the applicant to use the Local Liaison Committee to promote local consultation and community involvement.

14/18 7 NUMBER 6M HIGH EXTERNAL LIGHTING COLUMNS INSTALLED AROUND THE AREA OF NEW CAR PARKING AT WILLIAM FLETCHER SCHOOL, RUTTEN LANE, YARNTON - APPLICATION NO. R3.0065/17
(Agenda No. 9)

Application withdrawn.

15/18 REPORT ON PROPOSED PLANNING ENFORCEMENT ACTION AT ELM FARM QUARRY, STRATTON AUDLEY
(Agenda No. 10)

The Committee considered (PN10) a report updating members on an enforcement strategy for Elm Farm Quarry, Stratton Audley.

Presenting the report together with further tabled information regarding costs Mr Hodgkinson then responded to questions from:

Councillor Reynolds – there had been some testing for leachate from the tip site in the late 90s but nothing found which affected this site.

Councillor Fitzgerald-O'Connor – no significant problems had been reported for the adjacent airfield.

Councillor Johnston – there had, as yet, been no engagement with other interested organisations. Negotiations were at an early stage with long term use yet to be established.

Councillor Corkin speaking as local member outlined the topography and features of this large site. Although on the outskirts of Stratton Audley it also had a significant bearing on a much wider area including Bicester. Access to the site was difficult and whilst the community would not wish to see over development the ecology of the site was important and he felt there would be considerable support for the development of a community project. That would need to be both cost effective and appropriate to the long-term ecology of the site. Supporting the recommendations he looked forward to seeing improvements to the site.

Mr Periam confirmed there would be a further report to Committee after survey work had been carried out.

Councillor Webber pointed out that these conditions occurred at a number of locations countywide with an inevitable cost involved in perpetuity.

Responding to Councillor Webber Mr Hodgkinson confirmed that it was hoped to provide some rights of way and public access but it was private land. He confirmed that officers had attempted to engage with new owners but with no luck. A decision regarding enforcement would need to be made within the year.

Referring to problems experienced at similar sites elsewhere in the county Councillor Johnston stressed the need for care regarding the type of access which might be granted.

RESOLVED: (on a motion by Councillor Johnston, seconded by Councillor Webber and carried unanimously) to:

- (a) note the report; and
- (b) endorse the carrying out of further ecological surveys to support the officers' consideration of the expediency of taking enforcement action and the steps to be specified as required in a planning enforcement notice to be served no later than 31 December 2018.

..... in the Chair

Date of signing

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For: PLANNING AND REGULATION COMMITTEE – 26 MARCH 2018

By: DIRECTOR FOR PLANNING AND PLACE

Development Proposed:

New secondary school (Alchester Academy) with associated hard and soft landscaping, car parking, playing fields and infrastructure on land in the Kingsmere Development in South West Bicester.

Division Affected: Bicester West

Contact Officer: Kevin Broughton **Tel:** 07979 704458

Location: Land adjoining Whitelands Way, Kingsmere, Bicester, OX26 1AZ

Applicant: Oxfordshire County Council

Application No: R3.0003/18 **District ref No:** 18/00154/OCC

District Council Area: Cherwell

Date Received: 20 December 2017

Consultation Period: 25 January 2018 – 15 February 2018

Contents:

- Part 1 – Facts and Background
- Part 2 – Other Viewpoints
- Part 3 – Relevant Planning Documents
- Part 4 – Analysis and Conclusions

Recommendation:

- **Part 1 – Facts and Background**

Location (see site plan Annex 1)

1. The Kingsmere development is on the south-western edge of Bicester, and the school site is on southern edge of the Kingsmere development. There are no landscape designations.
2. The site of the proposed secondary school is within the area of an outline planning permission 06/00967//OUT which was granted on the 27 June 2008 by Cherwell District Council, and included a masterplan

for the Kingsmere development. The permission was for 1,585 dwellings and other related uses including a primary school and a secondary school. The primary school has been built and occupied and this application is for the secondary school which would be located as set out in the masterplan.

3. Housing lies to the north west of the site. To the east is the A41 and beyond that open fields and the Bicester Avenue retail centre. The Bicester park and ride lies to the south, and to the west is a sports field with associated buildings.

Details of the Development

4. This application is for a four-form entry secondary school with a capacity of 600 students aged 11 to 16. The school facilities such as the sports hall, would also be available to the local community for weekend and evening use. The school would employ 40 full time and 10 part time staff.
5. There is little detail in the application about the proposed community use of the school.
6. There are details of the lighting proposed for the MUGA or car parking, and the paved areas, which would consist of lighting affixed to the school building, bollard lighting and lamp standards. There is no plan to show location of the proposed lighting. It is proposed that the lighting shall be controlled to operate between 07.00 and 23.00 each day.
7. The southern half of the school site has a covenant restricting the area for sports provision only, and so this has required the school building to be placed on the northern part of the site. This is generally in keeping with the masterplan for the site.
8. The building has also been placed at a suitable distance from the A41 to avoid the impact of noise from the traffic on the road.
9. Landscaping and parking would lie between the main school building and the neighbouring housing. There are 57 car parking spaces plus 3 disabled and 3 mini-bus spaces, and 82 bicycle parking spaces proposed.
10. A Multi Use Games Area (MUGA) would be located between the school buildings and the A41.
11. The school would provide just over 5,600m² of new gross floorspace. The building would be 3 storeys in height, and would be 12m in height to the roof at its highest point, but up to 14m in height including the plant and flues on the roof. The teaching block would be the nearest part of the school building to the housing, and that would be 11m to the

roof. The nearest property would be 16m from the school boundary and 42m from the school building.

12. The school would be predominantly brick and render on the main school building, and brick and standing seam cladding on the main hall, drama room and main hall.
13. There would be hard and soft landscaping including block paving, tarmac, gravel, hedging and other planting. The school site would be fenced with weldmesh and bow top fencing ranging from 1.5 to 2.1m. in height.
14. The proposed development includes the following environmental features: efficient materials and glazing, solar heat gain, energy efficient plant, night purge cooling strategy, wind scoops to provide natural ventilation, use of LED lighting, low water use fittings, and a small area of solar panels.
15. The application contained a reference to a contaminated land survey, but this was not included in the application. Since the submission of the application, the material to which the concern of contamination was related, has been removed. New clean material will be brought on to the site as part of the existing overall outline permission.

Part 2 – Other Viewpoints

Representations

16. There have been 19 third party representations, of which 15 have objected to the proposed school. The following issues were raised:
 - Traffic generation from parents dropping off children.
 - Congestion caused by buses at the school entrance.
 - Air pollution caused by the traffic congestion.
 - Sustainable Urban Drainage needs to be carefully considered.
 - School building too close to the housing.
 - The fumes from the A41 for those using the sports facilities is a concern.
 - The number of car parking spaces at the school is a concern.
 - Bin storage is too close to the residential properties.
 - Planting is insufficient to hide the car park on the school site.
 - Car parking and minibus parking is too close to the housing.
 - The land is poor quality for sports fields and will require a lot of maintenance.
 - The main entrance should be wider.
 - There would be an overspill of pupils into the residential areas.
 - The entrances would lead to a use of the cul-de-sacs which are currently private roads. These would normally become adopted roads once the development was completed.
 - Light pollution to the housing from the school.

- Concerns over the noise and disruption from the use of the school at weekends and in the evenings.
 - Insufficient parking for visiting sports teams.
 - Overlooking from the main school building.
17. Some responses were supportive of the school, even though they objected to the way in which the school had been designed, and some expressed disappointment that the issues raised at the local public consultation exercise were not listened to.

Consultations

18. Cherwell DC (Planning) – no objection, but concerned about the location of the bin store, and that the location of the entrances would encourage the use of the unadopted private roads near to the school.

19. Cherwell DC (Environmental Protection Team) – no objection but makes the following comments in relation to odour and air quality:

Odour: No comments, but the nearby sewage works and chicken farms could on occasion produce odour that may affect the proposed development.

Air Quality: notes the residents' concern about the sports field, but the pollutants would not be of a level that would cause a long term health impact.

20. The Environment Agency - no objection.

21. Natural England – no comments.

22. OCC Highway Authority – No objections but makes the following comments:

- A travel plan monitoring fee of £2040 will be required for this application
- The main access would be taken from Hexham Road which is currently prone to having vehicles parked on the approach to the development access, which would make coach manoeuvring impossible. Double yellow lines should be marked there to prevent resident parking.
- Parking space provision is justified based on the projected staff numbers.
- Parents dropping off and picking up on Whitelands Way would be a problem.
- The car park layout has insufficient space for the minibus to swing into the spaces.
- Concerned that the coach drop-off area can accommodate 6 coaches. This should be clarified and supported by swept path analysis.

- Concern about the crossing of the footpath and the need to extinguish a right of way along the footpath while the development is taking place.
- The construction transport management plan is sufficient.

The following conditions are requested:

- Prior to commencement of development, a revised parking plan to accommodate the manoeuvring and parking of mini-buses to be submitted and approved.
 - Prior to the commencement of the development full details of how a 15m long coach would access the respective allocated parking/drop-off spaces on site shall be submitted and approved.
 - Prior to the commencement of any part of the development hereby approved within 10m of the existing public footpath(s), the affected footpath(s) shall be improved and protected in accordance with details to be submitted and approved.
 - A School Travel Plan will be required within 3 months of the 1st intake of pupils.
23. OCC Archaeology – no archaeological constraints.
24. OCC Rights of Way – no objection, but the adjoining footpath should be made suitable for adoption.
25. OCC Protected species officer – no objection subject to the installation of swift boxes.

Part 3 – Relevant Planning Documents

Relevant planning policies (see Policy Annex to the committee papers)

26. Planning applications should be decided in accordance with the Development Plan unless material considerations indicate otherwise.
27. The relevant Development Plan policies are:

Cherwell Local Plan 2031 (CLP) Policies:

PSD 1: Presumption in favour of sustainable development.

BSC 7: Meeting Education Needs

BSC 12: Indoor Sport, Recreation and Community Facilities

ESD 1: Mitigating and Adapting to Climate Change

ESD 2: Energy Hierarchy and Allowable Solutions

ESD 3: Sustainable Construction

ESD 7: Sustainable Drainage Systems (SuDS)

ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

ESD 13: Local Landscape Protection and Enhancement

ESD 15: The Character of the Built and Historic Environment

Bicester 3: South West Bicester Phase 2

Saved policies of the Cherwell Local Plan 1996 (CLP1996):
TR7: Development attracting large numbers of vehicles
C31: Compatibility with residential areas
ENV1: Development likely to cause pollution

28. Other Material Considerations are:

The Government's National Planning Policy Framework (NPPF) was published on 27 March 2012. This is a material consideration in taking planning decisions. The CLG letter to the Chief Planning Officers dated 15th August 2011 is also relevant.

Cherwell District Council is preparing a Part 2 to the Adopted Cherwell Local Plan 2011-2031 which will contain non-strategic site allocations and development management policies. An issues consultation was held in early 2016. This plan is at an early stage and there are not yet draft policies to consider.

• **Part 4 – Analysis and Conclusions**

Comments of the Director for Planning and Place

29. The CLG letter to the Chief Planning Officers dated 15 August 2011 set out the Government's commitment to support the development of state funded schools and their delivery through the planning system. The policy statement states that:

"The creation and development of state funded schools is strongly in the national interest and that planning decision-makers can and should support that objective, in a manner consistent with their statutory obligations." State funded schools include Academies and free schools as well as local authority maintained schools.

It further states that the following principles should apply with immediate effect:

- There should be a presumption in favour of the development of state-funded schools;
- Local Authorities should give full and thorough consideration to the importance of enabling the development of state funded schools in their planning decisions; Local Authorities should make full use of their planning powers to support state-funded school applications;
- Local Authorities should only impose conditions that clearly and demonstrably meet the tests as set out in Circular 11/95;
- Local Authorities should ensure that the process for submitting and determining state-funded schools' applications is as streamlined as possible;

- A refusal of any application for a state-funded school or the imposition of conditions, will have to be clearly justified by the Local Planning Authority.

This has been endorsed as part of the National Planning Policy Framework.

30. Policy PSD 1 of the CLP set out the presumption in favour of sustainable development. It states that a positive and proactive approach will be taken. This reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. Policy BSC 7 of the CLP adds that there is a need to ensure that facilities are provided to meet education need, and that they should be located in sustainable locations.
31. The proposed development would provide for the education needs of the new development by providing an accessible, local school for the new community as set out in the masterplan forming part of the outline planning permission for the Kingsmere development.
32. The development is therefore in accordance with policy BSC 7 of the CLP, and in accordance with policy PSD 1 of the CLP and should be granted planning permission unless there are overriding policy or material reasons not to. The main issues for this application are: design, effect on local amenity, and transport.

Design

33. Policy Bicester 3 of the CLP sets out the overall aims for South West Bicester which includes 726 homes, two primary schools and a secondary school. The secondary school permission has been granted in outline for the site of this application. The proposal is therefore in accordance with the overall policy for this new development in Bicester.
34. Policy ESD 15 of the CLP states that new development will be expected to complement the character of its context, and that all new development should meet high design standards. Policy ESD 13 of the CLP seeks to protect and enhance local landscape character, particularly in urban fringe locations such as this.
35. The proposed development has been accepted in principle by the granting of the outline planning permission for the school site. The location of the school building respects the positioning of the school building on the site as set out in the masterplan from the outline planning permission, but it does not have the hard edge and landmark buildings as set out in the master plan. Nevertheless, the design principles of the school have led to a design that fits well on the school site and relates well to the housing.

36. Concerns have been raised and alternative layouts have been suggested by local residents. These include locating the school building away from the housing and nearer to the road, and having alternative access roads across the school fields. The design of the school has been to keep the school building away from the noise of the A41, and has kept the school playing field open in accordance with the covenant on the land. In any event, the committee must determine the application before it. In this case the school is intended to serve the local area, and it faces on to that area and relates well to it.
37. The main school building would be 3 storeys which is higher than the neighbouring housing, but there are three storey dwellings in the wider development. The building would be 46m from the nearest residence which is sufficiently distant from the neighbouring houses, that the development would not be overbearing in terms of massing.
38. The public elevation of the building would be a mix of brick and render that would be in keeping with a school building that would be an important building in the neighbourhood. The sports hall, drama room and main hall are less attractive, having large areas of standing seam cladding, and they are placed on the less public face of the school.
39. Policy ESD 1 of the CLP seeks measures to mitigate climate change. Policy ESD 2 of the CLP seeks a reduction in carbon emissions by: reducing energy consumption, giving priority to decentralised energy systems and by making use renewable energy. Policy ESD 3 requires all development to be of sustainable construction including minimising energy use, reducing waste and reducing the impact on the environment.
40. The proposed school would mitigate climate change by using energy efficient materials and glazing. It would make use of solar heat gain for heating, and night purge cooling and wind scoops for ventilation. Energy use would be reduced by the use of LED lighting energy efficient plant. Some energy would be produced through a small area of solar panels. Water would be conserved by installing low water use fittings.
41. The proposal is therefore of a good design both in terms of appearance and in terms of the environmental performance of the building, and as such complies with the policies relating to design.

Effect on Local Amenity

42. Policy C31 of the CLP1996 states that any development not compatible with the residential character of the area, or that would cause an unacceptable level of nuisance or visual intrusion will not normally be permitted. Policy ENV1 of the CLP1996 further states that development likely to cause detrimental levels of noise or other types of environmental pollution will not normally be permitted.

43. The proposed development is for a school, which is not only compatible but necessary for a successful housing development. It is 46 metres away from the nearest residential property and it is not considered that it would be overbearing or cause an unacceptable level of nuisance in the area. The outline planning permission for the area includes a secondary school in this location and there is nothing to suggest the school as proposed in this application would produce any more noise or environmental pollution than would normally be expected from a secondary school. The proposed development is not therefore considered to be contrary to policies C31 or ENV1 of the CLP 1996.
44. Community use is mentioned in the application, but there is no detail as to what those uses might be. A condition should be attached restricting the hours of the community use of the school site to 10.00 pm on Mondays to Saturdays, and to 6.00 pm on Sundays, in order to ensure that the use does not continue into unsocial hours.
45. A condition should also be attached such that no external lighting can be erected and used until a scheme of lighting has been submitted to and approved by the Local Planning Authority. That scheme of lighting should include hours of operation, that should be linked to the hours of use for the school.
46. There were concerns raised by local residents about the effects of air pollution on the children using the hockey pitch while they are using the sports field. NPPF paragraph 109 states that, among other things, the planning system should prevent new development from being put at unacceptable risk from, or being adversely affected by unacceptable levels of air pollution. The District's Environmental Protection Team has stated that the levels of air pollution in such a location would not be unacceptable.
47. Concerns were raised by Cherwell District Council in respect of the location of the bin store. A condition could be included stating that the location and design of the bin store be agreed prior to first occupation of the school.

Transport

48. Policy TR7 of the CLP 1996 states that development that would attract large numbers of cars onto unsuitable minor roads will not normally be permitted.
49. A travel plan monitoring fee has been requested for this application which would need to be secured by way of a Unilateral Undertaking, and any permission given would be subject to such an agreement.
50. The County as highway authority has recommended that double yellow lines be painted on the area by the main entrance where the buses turn

at the main entrance. This could be secured by a planning condition if reasonably within the control of the applicant to deliver, but it would need to be enforced, could equally apply to the buses as to the cars and would not be legally enforceable by the parking authority unless the highway was adopted. I therefore suggest that instead, an informative setting out the highway concerns be included to any permission.

51. In order to ensure sufficient manoeuvring for a minibus within the car parking area, a condition could be attached to any permission requiring the submission and approval of parking details prior to the construction of the car park.
52. I do not think it would be reasonable to attach a prior commencement condition for the details of the 15m long coach parking and drop off spaces for this application. The works have been carried out as part of the wider permission for the Kingsmere development, in accordance with planning permission 09/1528/REM, and the land is not in the control of the applicant. That being the case, it is a matter of whether the concerns over the access is such that planning permission should be refused for this application. Given the strong steer from central government, I am inclined to the view that it would not be an overriding reason for refusal. Nevertheless, an informative could be attached that raises the concerns of the County as Highway Authority.
53. A condition requiring that no development within 10m of the existing public footpath be carried out until details of how the footpath will be protected has been submitted and approved, could be attached as requested by the County Council as Highway Authority.
54. The school is likely to attract cars to the area during the school run but the school is intended to serve the new local community and therefore it would be hoped that the majority of pupils, who would be of secondary school age, would be able to walk or cycle to and from the school. However, the master plan in its formulation would have taken into account the routes to the school and that has now been approved. A travel plan should however be put in place prior to the opening of the school to ensure that use of the pedestrian and cycling modes is encouraged as much as possible.
55. Concerns have been raised by local residents that the locations of the school entrances are such that they would encourage the use of the cul-de-sacs near to the school site which are currently private roads.
56. The routes to the school would be easier if the development around the school is of a permeable urban design, and this would be the effect if the cul-de-sacs become adopted and there is a way through at the end of the cul-de-sacs for pedestrians. This would be negated if the roads are to remain as private roads. If the roads do remain private, and do not become adopted, the owner of those streets would have the right to

take measures to stop them being used as through routes without consent. The accesses to the school would still be possible from the main entrance and the cycle way. Although it might cause desire lines through the cul-de-sacs, that in itself would not be sufficient reason to restrict the accesses to the school site. The school travel plan should however take into account the routes that can lawfully be taken to the school.

57. The proposal, with the condition outlined above would comply with the transport policies in the development plan.

Other Issues

58. Policy ESD 7 of the CLP requires sustainable drainage systems for all developments. The proposed development includes a sustainable drainage scheme with the application and so complies with the policy.
59. Policy ESD 10 of the CLP seeks a net gain in biodiversity. The application is on a site that has been considered as part of a wider development which has been determined against this policy. The site currently has very little biodiversity value, and that would not be significantly altered by the proposed development. A condition could be attached to a permission requiring some bird boxes in line with advice from the County's Protected Species Officer would lead to a net gain in biodiversity, and would comply with policy ESD 10.
60. Policy BSC 12 of the CLP states that community facilities will be encouraged to enhance the sustainability of communities. The proposed school would also provide community facilities and would therefore comply with policy BSC 12.

Conclusions

61. The proposed development would allow the provision of an essential community facility as part of a new housing development. The proposal would not have any impacts that would override the presumption in favour of sustainable development, the government support for state schools, and the policies for education provision in the development plan, and the proposal should therefore be permitted, subject to the conditions outlined in the report, without delay.

Recommendation

62. **It is RECOMMENDED that subject to a Unilateral Undertaking to pay £2,040 for travel plan monitoring that planning permission for application no. R3.0003/18 be approved subject to conditions to be determined by the Director of Planning and Place to include the following:**

- I. **Detailed compliance.**

- II. **Permission to be implemented within 3 years.**
- III. **Prior to the first occupation of the school buildings, a school travel plan shall be submitted to and approved by the County Planning Authority.**
- IV. **The approved travel plan to be implemented within three months of the school's opening.**
- V. **The community use of the school premises including the associated use of any external lighting shall be only between the following hours:
07.00 – 22.00 Monday to Saturdays and
07.00 – 18.00 on Sundays**
- VI. **No external lighting shall be erected and used until a scheme of lighting has been submitted to and approved by the County Planning Authority**
- VII. **No development other than groundworks and landscaping shall take place until a scheme showing the type and location of bird boxes has been submitted to and approved by the County Planning Authority. The agreed scheme shall be implemented thereafter.**
- VIII. **Prior to the construction of the car park, a detailed layout shall be submitted to and approved by the County Planning Authority.**
- IX. **Prior to first occupation of the school, the location and design of the bin store shall be submitted and approved. The agreed scheme shall be implemented.**
- X. **No development shall take place within 10m of the existing public footpath, until details of how the footpath will be protected has been submitted to and approved by the County Planning Authority.**

SUSAN HALLIWELL
Director of Planning and Place

March 2018

European Protected Species

The habitat on and around the proposed development site indicate that European Protected Species are unlikely to be present. Therefore no further consideration of the Conservation of Species & Habitats Regulations is necessary.

Compliance with National Planning Policy Framework

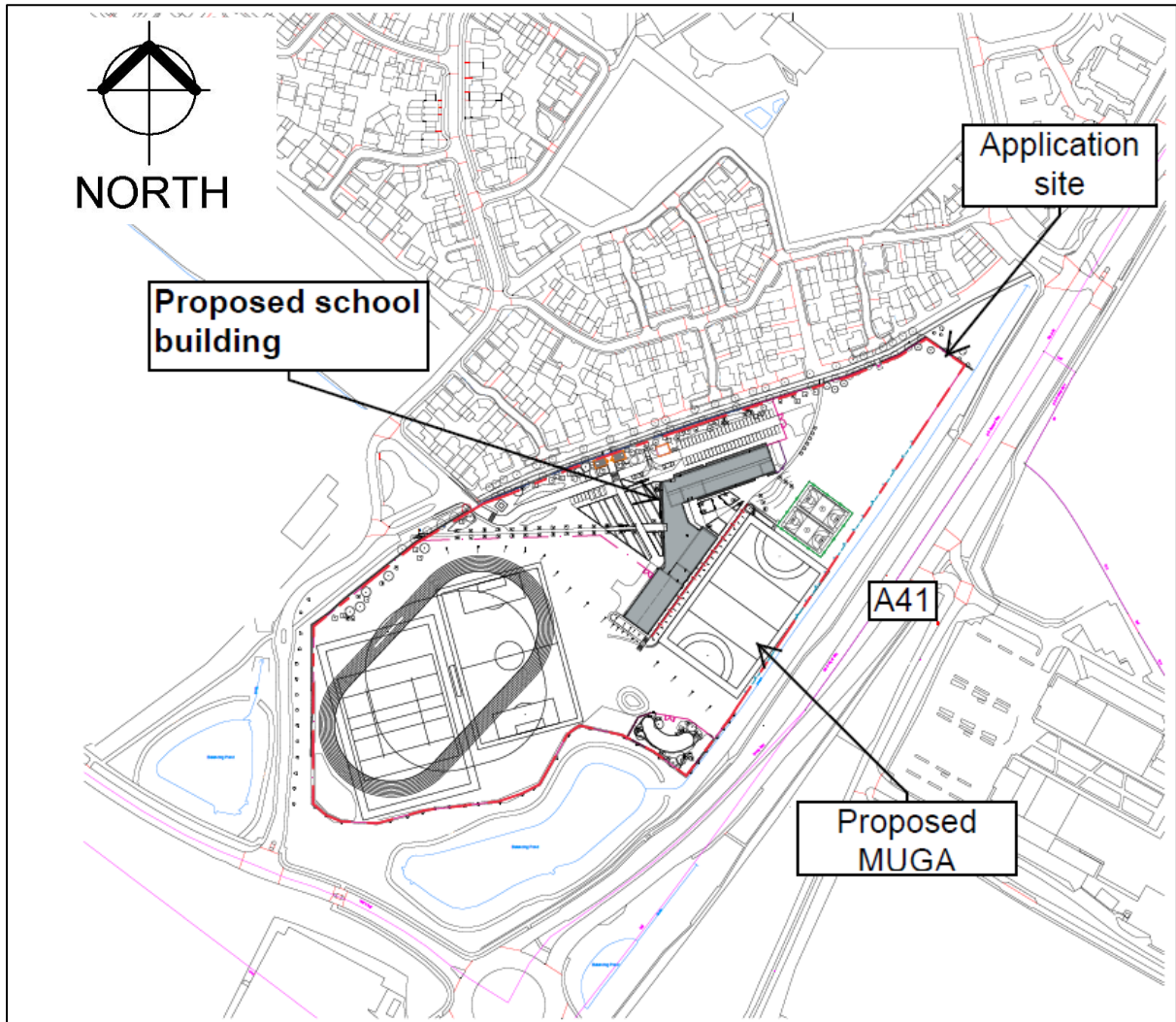
In accordance with paragraphs 186 and 187 of the NPPF Oxfordshire County Council take a positive and proactive approach to decision making focused on solutions and fostering the delivery of sustainable development. We work with applicants in a positive and proactive manner by; offering a pre-application advice service, which the applicant took advantage of in this case updating applicants and agents of any issues that may arise in the processing of their

application and where possible suggesting solutions. The applicant has been advised of concerns raised by the Environment Agency, Cherwell District Council and local residents. This has given them the opportunity to provide additional information, particularly on concerns initially raised by the Environment Agency with regard to contaminated land which led to that objection being removed.

Coach Circulation Space

Concerns have been raised by the County as Highway Authority as to the possible problems for coaches turning in the area provided for in the outline planning permission if residents park their vehicles in the turning area. The applicant might wish to approach the Highway Authority about parking restrictions once the road has been adopted.

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PLANNING & REGULATION COMMITTEE – 26 MARCH 2018

Policy Annex (Relevant Development Plan and other Policies)

Cherwell Local Plan 1996 (CLP)

POLICY ENV1: DEVELOPMENT LIKELY TO CAUSE POLLUTION

Development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other type of environmental pollution will not normally be permitted.

POLICY C31: COMPATIBILITY WITH RESIDENTIAL AREAS

In existing and proposed residential areas any development which is not compatible with the residential character of the area, or would cause an unacceptable level of nuisance or visual intrusion will not normally be permitted.

POLICY TR7: DEVELOPMENT ATTRACTING LARGE NUMBERS OF VEHICLES

Development that would regularly attract large commercial vehicles or large numbers of cars onto unsuitable minor roads will not normally be permitted.

Cherwell Local Plan 2031 (CLP)

POLICY PSD 1: PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT

When considering development proposals the Council will take a proactive approach to reflect the presumption in favour of sustainable development contained in the National Planning Policy Framework. The Council will always 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 part of the statutory Development Plan) will be approved without delay unless material considerations indicate otherwise.

Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision then the Council will grant permission unless material considerations indicate otherwise – taking into account whether:

- any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or
- specific policies in the Framework indicate that development should be restricted.

POLICY BSC7: MEETING EDUCATION NEEDS

The Council will work with partners to ensure the provision of pre-school, school, community learning and other facilities which provide for education and the development of skills. New school buildings should be located in sustainable locations. The co-location of other services and facilities with schools should be considered to create community hubs.

POLICY BSC12: INDOOR SPORT, RECREATION AND COMMUNITY FACILITIES

The Council will encourage the provision of community facilities to enhance the sustainability of communities, and encourage partnership working to ensure that built sports provision is maintained in accordance with local standards of provision by the following means:

- Protecting and enhancing the quality of existing facilities
- Improving access to existing facilities
- Ensuring that development proposals contribute towards the provision of new or improved facilities where the development would generate a need for sport, recreation and community facilities which cannot be met by existing provision.

POLICY ESD 1: MITIGATING AND ADAPTING TO CLIMATE CHANGE

Measures will be taken to mitigate the impact of development within the District on climate change. At a strategic level, this will include:

- Distributing growth to the most sustainable locations as defined in this Local Plan
- Delivering development that seeks to reduce the need to travel and which encourages sustainable travel options including walking, cycling and public transport to reduce dependence on private cars
- Designing developments to reduce carbon emissions and use resources more efficiently, including water (see Policy ESD 3 Sustainable Construction)
- Promoting the use of decentralized and renewable or low carbon energy where appropriate (see Policies ESD 4 Decentralised Energy Systems and ESD 5 Renewable Energy).

The incorporation of suitable adaptation measures in new development to ensure that development is more resilient to climate change impacts will include consideration of the following:

- Taking into account the known physical and environmental constraints when identifying locations for development
- Demonstration of design approaches that are resilient to climate change impacts including the use of passive solar design for heating and cooling
- Minimising the risk of flooding and making use of sustainable drainage methods, and
- Reducing the effects of development on the microclimate (through the provision of green infrastructure including open space and water, planting, and green roofs).

Adaptation through design approaches will be considered in more locally specific detail in the Sustainable Buildings in Cherwell Supplementary Planning Document (SPD).

POLICY ESD 2: ENERGY HIERARCHY AND ALLOWABLE SOLUTIONS

In seeking to achieve carbon emissions reductions, we will promote an 'energy hierarchy' as follows:

- Reducing energy use, in particular by the use of sustainable design and construction measures
- Supplying energy efficiently and giving priority to decentralized energy supply
- Making use of renewable energy
- Making use of allowable solutions.

POLICY ESD 3: SUSTAINABLE CONSTRUCTION

All new residential development will be expected to incorporate sustainable design and construction technology to achieve zero carbon development through a combination of fabric energy efficiency, carbon compliance and allowable solutions in line with Government policy.

Cherwell District is in an area of water stress and as such the Council will seek a higher level of water efficiency than required in the Building Regulations, with developments achieving a limit of 110 litres/person/day.

All new non-residential development will be expected to meet at least BREEAM 'Very Good' with immediate effect, subject to review over the plan period to ensure the target remains relevant. The demonstration of the achievement of this standard should be set out in the Energy Statement.

The strategic site allocations identified in this Local Plan are expected to provide contributions to carbon emissions reductions and to wider sustainability.

All development proposals will be encouraged to reflect high quality design and high environmental standards, demonstrating sustainable construction methods including but not limited to:

- Minimising both energy demands and energy loss
- Maximising passive solar lighting and natural ventilation
- Maximising resource efficiency
- Incorporating the use of recycled and energy efficient materials
- Incorporating the use of locally sourced building materials
- Reducing waste and pollution and making adequate provision for the recycling of waste
- Making use of sustainable drainage methods

- Reducing the impact on the external environment and maximising opportunities for cooling and shading (by the provision of open space and water, planting, and green roofs, for example; and
- Making use of the embodied energy within buildings wherever possible and re-using materials where proposals involve demolition or redevelopment.

Should the promoters of development consider that individual proposals would be unviable with the above requirements, 'open-book' financial analysis of proposed developments will be expected so that an independent economic viability assessment can be undertaken. Where it is agreed that an economic viability assessment is required, the cost shall be met by the promoter.

POLICY ESD7: SUSTAINABLE DRAINAGE SYSTEMS (SuDS):

All development will be required to use sustainable drainage systems (SuDS) for the management of surface water run-off.

Where site specific Flood Risk Assessments are required in association with development proposals, they should be used to determine how SuDS can be used on particular sites and to design appropriate systems.

In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits. SuDS will require the approval of Oxfordshire County Council as LLFA and SuDS Approval Body, and proposals must include an agreement on the future management, maintenance and replacement of the SuDS features.

POLICY ESD 10: PROTECTION AND ENHANCEMENT OF BIODIVERSITY AND THE NATURAL ENVIRONMENT

Protection and enhancement of biodiversity and the natural environment will be achieved by the following:

- In considering proposals for development, a net gain in biodiversity will be sought by protecting, managing, enhancing and extending existing resources, and by creating new resources
- The protection of trees will be encouraged, with an aim to increase the number of trees in the district
- The reuse of soils will be sought
- If significant harm resulting from a development cannot be avoided (though locating on an alternative site with less harmful impacts), adequately mitigated, or as a last resort, compensated for, then development will not be permitted
- Development which would result in damage to or loss of a site of international value will be subject to the Habitats Regulations Assessment process and will not be permitted unless it can be demonstrated that there will be no likely significant effects on the international site or that effects can be mitigated
- Development which would result in damage to or loss of a site of biodiversity or geological value of national importance will not be permitted unless the benefits

of the development clearly outweigh the harm it would cause to the site and the wider national network of SSSIs, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity

- Development which would result in damage to or loss of a site of biodiversity or geological value of regional or local importance including habitats of species of principal importance for biodiversity will not be permitted unless the benefits of the development clearly outweigh the harm it would cause to the site, and the loss can be mitigated to achieve a net gain in biodiversity/geodiversity
- Development proposals will be expected to incorporate features to encourage biodiversity, and retain and where possible enhance existing features of nature conservation value within the site. Existing ecological networks should be identified and maintained to avoid habitat fragmentation, and ecological corridors should form an essential component of green infrastructure provision in association with new development to ensure habitat connectivity
- Relevant habitat and species surveys and associated reports will be required to accompany planning applications which may affect a site, habitat or species of known or potential ecological value
- Air quality assessments will also be required for development proposals that would be likely to have a significantly adverse impact on biodiversity by generating an increase in air pollution
- Planning conditions/obligations will be used to secure net gains in biodiversity by helping to deliver Biodiversity Action Plan targets and/or meeting the aims of Conservation Target Areas. Developments for which these are the principal aims will be viewed favourably
- A monitoring and management plan will be required for biodiversity features on site to ensure their long term suitable management

POLICY ESD 13: LOCAL LANDSCAPE PROTECTION AND ENHANCEMENT

Opportunities will be sought to secure the enhancement of the character and appearance of the landscape, particularly in urban fringe locations, through the restoration, management or enhancement of existing landscapes, features or habitats and where appropriate the creation of new ones, including the planting of woodlands, trees and hedgerows.

Development will be expected to respect and enhance local landscape character, securing appropriate mitigation where damage to local landscape character cannot be avoided. Proposals will not be permitted if they would:

- Cause undue visual intrusion into the open countryside
- Cause undue harm to important natural landscape features and topography
- Be inconsistent with local character
- Impact on areas judged to have a high level of tranquillity
- Harm the setting of settlements, buildings, structures or other landmark features, or
- Harm the historic value of the landscape.

Development proposals should have regard to the information and advice contained in the Council's Countryside Design Summary Supplementary Planning Guidance,

and the Oxfordshire Wildlife and Landscape Study (OWLS), and be accompanied by a landscape assessment where appropriate.

POLICY ESD15: THE CHARACTER OF THE BUILT AND HISTORIC ENVIRONMENT

Successful design is founded upon an understanding and respect for an area's unique built, natural and cultural context. 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. Where development is in the vicinity of any of the District's distinctive natural or historic assets, delivering high quality design that complements the asset will be essential.

New development proposals should:

- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions
- Deliver buildings, places and spaces that can adapt to changing social, technological, economic and environmental conditions
- Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity
- Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features, including skylines, valley floors, significant trees, historic boundaries, landmarks, features or views, in particular within designated landscapes, within the Cherwell Valley and within conservation areas and their setting
- Conserve, sustain and enhance designated and non designated 'heritage assets' (as defined in the NPPF) including buildings, features, archaeology, conservation areas and their settings, and ensure new development is sensitively sited and integrated in accordance with advice in the NPPF and NPPG. Proposals for development that affect non-designated heritage assets will be considered taking account of the scale of any harm or loss and the significance of the heritage asset as set out in the NPPF and NPPG. Regeneration proposals that make sensitive use of heritage assets, particularly where these bring redundant or under used buildings or areas, especially any on English Heritage's At Risk Register, into appropriate use will be encouraged
- Include information on heritage assets sufficient to assess the potential impact of the proposal on their significance. Where archaeological potential is identified this should include an appropriate desk based assessment and, where necessary, a field evaluation
- Respect the traditional pattern of routes, spaces, blocks, plots, enclosures and the form, scale and massing of buildings. Development should be designed to integrate with existing streets and public spaces, and buildings configured to create clearly defined active public frontages

- Reflect or, in a contemporary design, response, re-interpret local distinctiveness, including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette
- Promote permeable, accessible and easily understandable places by creating spaces that connect with each other, are easy to move through and have recognizable landmark features
- Demonstrate a holistic approach to the design of the public realm to create high quality and multi-functional streets and places that promotes pedestrian movement and integrates different modes of transport, parking and servicing. The principles are set out in The Manual for Streets should be followed
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space
- Limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation
- Be compatible with up to date urban design principles, including Building for Life, and achieve Secured by Design accreditation
- Consider sustainable design and layout at the masterplanning stage of design, where building orientation and the impact of microclimate can be considered within the layout
- Incorporate energy efficient design and sustainable construction techniques, whilst ensuring that the aesthetic implications of green technology are appropriate to the context (also see Policies ESD 1-5 on climate change and renewable energy)
- Integrate and enhance green infrastructure and incorporate biodiversity enhancement features where possible (see Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment and Policy ESD 17 Green Infrastructure). Well designed landscape schemes should be an integral part of development proposals to support improvements to biodiversity, the micro climate, and air pollution and provide attractive places that improve people's health and sense of vitality
- Use locally sourced sustainable materials where possible.

The Council will provide more detailed design and historic environment policies in the Local Plan Part 2.

The design of all new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale. This should be demonstrated in the Design and Access Statement that accompanies the planning application. The Council expects all the issues within this policy to be positively addressed through the explanation and justification in the Design & Access Statement. Further guidance can be found on the Council's website.

The Council will require design to be addressed in the pre-application process on major developments and in connection with all heritage sites. For major sites/strategic sites and complex developments, Design Codes will need to be prepared in conjunction with the Council and local stakeholders to ensure appropriate character and high quality design is delivered throughout. Design Codes will usually be prepared between outline and reserved matters stage to set out

design principles for the development of the site. The level of prescription will vary according to the nature of the site.

POLICY BICESTER 3: SOUTH WEST BICESTER PHASE 2

Development Area: 29 hectares

Development Description: 726 homes with associated services, facilities and other infrastructure:

Housing

- Number of homes – Approximately 726
- Dwelling mix – to be informed by Policy BSC4: Housing mix
- Affordable Housing – 30%
- The provision of extra care housing and opportunity for community self-build affordable housing.

Infrastructure Needs

- Education – 2 FE Primary School, contributions towards secondary school provision
- Health – to be provided at North West Bicester
- Open Space – to include general greenspace, play space, allotments and outdoor sports provision as outlined in Policy BSC 11: Local Standards of Provision – Outdoor Recreation
- Access and Movement – link to Phase 1 bus service to Bicester Village Railway Station and Park and Ride at Phase 1
- Community facilities – convenience store, a community facility/enhanced community facilities as part of Phase 1
- Utilities – extension of Phase 1 connections. Off site improvements to utilities may be required.

Key site specific design and place shaping principles

- Proposals should comply with Policy ESD 5
- A distinctive residential neighbourhood for Bicester that integrates well with the existing phase 1 development at South West Bicester
- Layout of development that enables a high degree of integration and connectivity with direct vehicular (including cycle) and pedestrian linkages between South West Bicester Phases 1 and 2 and to existing networks
- A transport assessment and Travel Plan to accompany development proposals
- A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities, with a legible hierarchy of routes, with new footpaths and cycleways provided on site that link to existing networks beyond the site
- Good accessibility to public transport services should be provided by ensuring that the bus routes and bus stops to be provided within the site are accessible by pedestrians and cyclists via effective footpaths and cycle routes

- Development that respects the setting of Chesterton Conservation Area and the wider landscape setting
- Retention of hedgerows and the preservation and enhancement of the biodiversity value of the site, with the enhancement, restoration and creation of wildlife corridors provided for through an ecological survey
- Development set back from the minor watercourse along the site's northern boundary to meet Environment Agency requirements
- A surface water management framework and the incorporation of infiltration Sustainable Drainage Systems (SuDS) to reduce surface water, control drainage and protect a Minor Aquifer (subject to further ground investigation)
- Public open space to form a well connected network of green areas suitable for formal and informal recreation
- Retention of the existing Public Right of Way which crosses the site
- Provision of opportunities for Green Infrastructure links beyond the development site to the wider town and open countryside
- A well designed approach to the urban edge, which relates development at the periphery to its rural setting and Chesterton village and affords good access to the countryside
- Development proposals should seek to protect cultural heritage and archaeology, including in the conversion of any important farm buildings where possible especially with regard to the conversion of Whitelands Farm and associated buildings, located to the southwest of the allocation
- The provision of public art to enhance the quality of the place, legibility and identity
- Land to be provided for and assist in facilitating a community woodland between Chesterton village and the Development Area
- Provision of sustainable drainage in accordance with 'Policy ESD 7: Sustainable Drainage Systems (SuDS)' taking account of the recommendations of the Council's Strategic Flood Risk Assessment
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1-5
- An assessment of whether the site contains best and most versatile agricultural land, including a detailed survey where necessary
- A soil management plan may be required to be submitted with planning applications
- Take account of the Council's SFRA for the site
- Development proposals to be accompanied and influenced by a landscape/visual and heritage impact assessments.

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