

DEVELOPMENT INTERNAL MEMORANDUM

From: Head of Strategic Planning and the Economy

To: Head of Public Protection & Development Management (FAO Matthew Parry)

Our Ref: 3.2

Your Ref: 15/00837/OUT

Ask for: David Peckford

Ext: 1841

Date: 26 November 2015

APPLICATION FOR PLANNING PERMISSION PLANNING POLICY CONSULTATION RESPONSE

Planning Application No.	15/00837/OUT
Address / Location	Part Land On The North East Side Of Gavray Drive Bicester
Proposal	OUTLINE - Residential development of up to 180 dwellings to include affordable housing, public open space, localised land remodelling, compensatory flood storage and structural planting
General Comments	There is on-going legal claim made by one of the applicants, with others, to part of Policy Bicester 13 of the Cherwell Local Plan 2011-2031
Main Local Plan Policies	<p>Adopted Cherwell Local Plan 2011-2031</p> <ul style="list-style-type: none"> • Bicester 13 – Gavray Drive • BSC1 – District Wide Housing Distribution • BSC2 – Effective and Efficient Use of Land • BSC 3 – Affordable Housing • BSC 4 – Housing Mix • BSC10 – Open, Space, Outdoor Sport and Recreation • BSC 11 & 12 – Outdoor & Indoor Recreation • ESD1-5 - Climate Change, Sustainable Construction & Energy • ESD6 – Sustainable Flood Risk Management • ESD7 – Sustainable Drainage Systems • ESD8 – Water Resources • ESD10 – Biodiversity • ESD11 – Conservation Target Areas • ESD 13 – Local Landscape Protection & Enhancement • ESD 15 – Character of Built & Historic Environment • ESD 17 – Green Infrastructure • Bicester 7 – Open Space, Sport and Recreation • Policy INF1 – Infrastructure <p>Saved Policies of the Adopted Cherwell Local Plan 1996 - (DM policies)</p> <p>Relevant Policies of the Non-Statutory Cherwell Local Plan 2011</p> <ul style="list-style-type: none"> • EN13 - Watercourses • EN28 – Langford Stream
Main Policy Observations	<p>The Planning Policy Team's main observations are:</p> <ul style="list-style-type: none"> • This is an outline proposal for residential development with all matters reserved other than access • The application site comprises part (land west of Langford Brook) of a strategic housing allocation for 300 homes.

- Para. 3.2 of the Planning Statement states “*The application has tested the development of up to 180 new dwellings*”
- Para. 2.3.1 of the Environmental Statement states, “*The Environmental Statement assessed a residential component comprising up to 180 new dwellings at an average density of around 40 dwellings per hectare*”
- The strategic allocation is a constrained site and it is necessary to consider whether release of part of the site would prevent the complete requirements of Policy Bicester 13 from being met
- Policy Bicester 13 includes a ‘key site specific design and place shaping principle’ which reads, “*That part of the site within the Conservation Target Area should be kept free from built development...*”.
- The interpretation of these words is the subject of an on-going legal claim. It affects the potential quantum of developable land (for ‘built’ development) within the strategic allocation
- The Council considers that 300 homes can be provided without any homes or other ‘built’ development being constructed within the Conservation Target Area and that this is a requirement of the policy. The legal claim affects the weight that can be attached to the contested part of the policy
- The application area is stated as being 6.9 ha. This produces a gross density of about 26.1 dwellings per hectare
- Whilst this is an outline application, there is a lack of analysis on the deliverable net density within the Planning Statement and Design and Access Statement in view of the constraints of the site
- From the application, it is unclear whether or not approximately 120 homes could be provided on the remaining developable land (the Council’s interpretation) outside of the Conservation Target Area
- Additional information was provided on 24 November 2015
- It states, “*The current application for up to 180 homes west of the brook results in a housing density of circa 38 dwellings*”
- Two scenarios are presented for the remainder of the Gavray Drive site, assuming no built development in the Conservation Target Area
- Under one (scenario 2) at a density of 38 dwellings per hectare, 54 dwellings would be provided - a total of 234 dwellings across the whole allocation. This would represent a significant shortfall and would not enable Policy Bicester 13 requirements to be met
- Under another (scenario 3) at a density of 84 dwellings per hectare, 120 homes would be provided, meeting the allocation of 300.
- There needs to be detailed consideration of whether approximately 84 dph would be an acceptable density in order to meet Bicester 13 requirements.
- If this is shown not to be the case, then a higher number of dwellings on the application site would need to be tested to ensure that the requirements of Policy Bicester 13 can be met. The size and mix of dwellings may be material
- For example, the submitted parameters plan indicates a residential area of 4.62 hectares. A density of 45 dph would enable a yield of 208 homes, leaving 92 homes to be provided on the rest of the site outside of the Conservation Target Area
- It is noted that the additional information provided advises that scenarios 2 and 3 have not been fully tested against ecological and other considerations possible.
- The application proposal would deliver new homes but not necessarily a sufficient number to meet policy requirements
- The site is not presently included as a deliverable site in the district’s five year land supply

	<ul style="list-style-type: none">• Other policy requirements, including for a net biodiversity gain to the whole of the allocated site, must be met.
Policy Recommendation	Objection to the principle of up to 180 homes being provided unless it can be demonstrated that approximately 120 homes can be satisfactorily provided on the remainder of the allocation while meeting other requirements of Policy Bicester 13.