



## Appendix 1

### **POST SUBMISSION ADVICE FROM OFFICERS**

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**From:** [Emma Lancaster](#)  
**To:** [Caroline Ford](#)  
**Cc:** [Johnathan Welton](#); [Kelvin Pearce \(kelvinpearce@albionland.co.uk\)](mailto:kelvinpearce@albionland.co.uk); [Chris Smith \(chris.smith@cornisharchitects.com\)](#)  
**Subject:** RE: 21/03177/F - Axis J9 Phase 3, Howes Lane, Bicester  
**Date:** 02 March 2022 16:31:00

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Caroline

Thanks for your time on the phone and for confirming for avoidance of doubt that Officers are able to support the principle of commercial development, having considered the case presented in the application.

To confirm, off the back of our discussion we'll now instruct the Applicant's team to proceed with the amendments to the planning application that will effectively remove the part of the site which lies to the east of the link road from the application boundary.

As you know from our discussion, Albion Land still intends to deliver development on this part of the site in the longer term and this amendment is made on a without prejudice basis to enable the current (amended) application to proceed to the earliest possible planning committee. Determination of the application has been made all the more urgent by virtue of agreement of terms for Unit 4 with a high profile occupier (who I will formally name in writing when we submit the amendments).

I expect to have an updated plans package and a comprehensive responsive to all matters raised in your email / outstanding queries from statutory consultees in the next week. You advised you will need to undertake a 14 day period of reconsultation on the amended/additional information and that the cut off for reports for 7 April planning committee is 24<sup>th</sup> March – we know this is a tight turnaround for both you and consultees, and appreciate your commitment to report to planning committee as quickly as possible.

With the above target committee in mind, and in recognition of the fact that a s106 agreement will be required should the planning committee resolve to grant planning permission, I can agree an EOT to the end of April 2022 for the time being.

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**From:** Caroline Ford <Caroline.Ford@Cherwell-DC.gov.uk>  
**Sent:** 18 February 2022 17:35  
**To:** Emma Lancaster <emma.lancaster@quod.com>  
**Cc:** Johnathan Welton <johnathan.welton@quod.com>  
**Subject:** 21/03177/F - Axis J9 Phase 3, Howes Lane, Bicester

Emma,

I write with reference to the above application. I apologise that I have not written to confirm my thoughts until now, however I have now been through most of the submission and I write to set out thoughts on a couple of areas. I appreciate this is late and that it does raise some concerns, however they are important points and I am afraid this has taken me a while to get through due to my current workload. I am also mindful of there being other outstanding points (such as transport), which these points can be reviewed alongside.

### Design

As you are aware from our meeting early in December, I do have reservations regarding the layout of this development, particularly that proposed to the east of the route of the strategic road. I have now reviewed the submission fully and I also visited Phase 1 and 2 recently with Senior colleagues as part of a tour of the wider site and therefore noted the layout of the site around units 8-14. I am afraid that I am not convinced that the layout as proposed is acceptable

alongside what is planned to become the strategic route through the wider NW Bicester site and which the development proposed on this site (as well as that on Phase 1), will be the most prominent at the entry to the Eco Town. As you are aware Policy Bicester 1 states that there is a need for careful design of the employment units to limit adverse visual impact and ensure compatibility with surrounding development. The NW Bicester SPD also emphasises the importance of continuity and enclosure which should define the street and public spaces and establish a clear hierarchy of streets. The visual appearance of service yards and parking is unacceptable in such a prominent position and, whilst I appreciate these areas are not as significant as a service yard serving a warehouse might be (in scale), they do, by their nature, have a functional appearance relating to the businesses that operate within the buildings even in comparison to a landscaped car park. For example, there were wooden palettes stacked at the front of one unit that exists and this would be very undesirable at the entrance to the Eco Town where a unique and high quality development is sought. Fencing is also in place around the units and this too would be inappropriate in such a prominent position.

I appreciate that we discussed the potential for noise impacting upon neighbouring properties if the arrangement of the site were to be reversed such that the parking and servicing were to the east with the buildings closer to the strategic road to provide for a frontage. I accept this arrangement may also raise other impacts such as from lighting etc. In design terms though, I consider this to be a far more desirable and acceptable alternative and it would require the buildings to be designed to include frontage to the west to provide an appropriate street scene (and I would assume that access arrangements to the east would also be required in respect to the service yards to ensure functionality). However, in making this suggestion, I would encourage you to consider the potential for noise impacts to the neighbouring properties to the east from such an arrangement as this development is proving contentious and I would not insist on an amendment which would be harmful in terms of noise or light impacts. I would therefore encourage you to review this area further to find an alternative which would be visually acceptable on this important site, can be accommodated without causing unacceptable environmental concerns to nearby residential properties and which addresses the concerns set out. This may result in the loss of some units or, if you are unable to propose an alternative that addresses my concerns then I would suggest that perhaps an alternative type of development on this site might be appropriate (perhaps other commercial alternatives such as office space or its reversion back to a residential use – in either event, consideration should be given to ensuring my concerns are addressed) or perhaps it should be left free from development and landscaped as appropriate. I do appreciate that this is a difficult part of the site given its awkward shape including its narrowness at the southern end, but I do hold very serious concerns about the impact of what is proposed upon this important part of the site in terms of its visual impact at the entrance to the Eco Town and consider the proposal to be unacceptable as it stands.

As well as the arrangement of units 6-10, I am afraid that the arrangement of unit 11 is also unacceptable with the rear of the unit facing south. This will be one of the most visible and prominent elevations of any of the proposed buildings and the rear of a building in such a prominent position would be unacceptable. I would suggest that this building be re-orientated so that its rear is east facing with its front and sides activated to provide a more appropriate arrangement to the street scene.

With respect to the design of the units themselves, I would ask for some amendment as follows:

Units 1-3 – please extend the rainscreen feature cladding system and projecting fins further along the south western elevation to give greater interest to the rear elevation of these units when viewed from the south. This takes into account the position of unit 1 further eastward than existing unit 14 and therefore prominent and visible from the street scene. It would also appear from the Massing Image that the solar PV is proposed to be located on the northern facing roof slope. This seems odd when there is a south facing roof slope available – could the PV be positioned on that elevation instead?

- I wonder if the north east elevations of unit 4 could be activated further (perhaps in a similar way to unit 5) bearing in mind a road located to the north of this unit and its prominence when viewed from the north in the future.
- Units 6-10 should be elevated further in design terms. Whilst I accept that they follow a similar design approach to the existing small units already constructed, these units are far more prominent and the lack of activation and interest is unacceptable where they would be such a prominent part of the street scene along the future strategic road. Please can you also consider the orientation of the roof arrangement and ensure this is optimum for solar panels, which currently appear to be positioned such that they are eastward facing. Perhaps a consideration of roof form to enable more south facing slopes to optimise the opportunities for PV could also be part of the solution to add interest to these units.
- I have already commented upon the orientation of unit 11 (above) but would also emphasise the point that in a similar way to units 6-10, this unit also needs to be improved in terms of its activation/ interest to provide for a more appropriately designed unit in such a prominent position.

Other design matters:

- Please consider the position of the refuse enclosures for units 1-3 and 6-10. The location for units 6-10 is particularly unacceptable in such a prominent position at the front of these units and therefore visible from the strategic road route.
- I note the content of the Green Infrastructure Plan, however it is not acceptable to suggest that the route of the strategic road itself counts as Green Infrastructure and therefore forms part of the 40% requirement of this application. Please update this plan to remove the strategic road as Green Infrastructure for further assessment that the proposal provides for the required 40% GI. The existing site, whilst functional, has a hard appearance due to the extent of hard surfacing and therefore this site, being more prominent in that it is either side of the strategic road, should have a greener, landscaped setting.

#### Consultation responses

Please note the following:

- The CDC Landscape Officer has recommended that the northern site boundary hedgerow does not provide sufficient buffering of the proposed units and it is recommended that additional space be provided, alongside additional vegetation to benefit the scheme. There are also some suggestions made regarding the species of trees proposed (i.e. *Salix fragilis* is recommended to be removed and *sorbus leyana* is recommended to be changed to a *sorbus aria*). Landscape Maintenance access entrances and site access control measures are also requested to be indicated as well as the soft landscape proposals needing to indicate the positions of the species. Other information is also sought.

Questions are also raised with regard to the Landscape Management Plan and in particular differences compared to earlier phases (i.e. the maintenance period and the need for additional explanation – i.e. planting typologies and soil depth).

- Please note the comments from Thames Water regarding foul water drainage.
- Please note the comments from the Environmental Protection Officer and the suggested conditions. You may wish to consider addressing some of these through the application process.

### Drainage

A re-consultation was issued following the receipt of the amended Flood Risk Assessment and Drainage Strategy dated January 2022. Comments from OCC as the Lead Local Flood Authority are awaited but have been chased.

### Transport

You are aware of the comments and objections of OCC as the Highway Authority and I note that consideration is being given to these. As well as the issues arising from the re-allocation of the growth deal funding and what this means for development in advance of the strategic infrastructure (which I am aware is being looked at), there are other detailed points raised including, in summary:

- OCC seek a segregated arrangement for pedestrians and cyclists in accordance with LTN1/20 on the western side of the re-aligned Howes Lane route.
- A pedestrian crossing point is missing from the access into the eastern (I think this may be western?) parcel and given the length of the crossings, consideration should be given to providing a refuge.
- The infrastructure proposed which will later lead to the bus only link (and provides access to units 8-14) must be designed to be compliant with LTN1/20 as this will be permanent road infrastructure in the future and it is intended that this would provide pedestrian, cycle and bus access into Himley Village.
- A pedestrian/ cycle access/ crossing is required onto the existing Howes Lane given that this would provide for increased pedestrian accessibility (which may occur anyway given the existing public right of way to Wansbeck Drive and given the significant route that would be required otherwise). This would also provide for a range of sustainable transport modes and improve highway safety.
- Within the parcels, pedestrian priority should be provided across the accesses to each unit.
- Walking distance to bus stops in the interim situation is required to be included for consideration.
- Future bus stop positions need to be shown on the plans and agreed and these should also acknowledge and show a suitable arrangement with the ped/ cycle infrastructure (i.e. a cycle bypass).
- The proposed level of EV charging is acceptable, although the Oxfordshire Electric Vehicle Infrastructure Strategy requires 25% of spaces to have EV charging facilities so OCC advise that a condition would be required to secure this by an agreed date. As noted by the Council's Environmental Protection Team, we would look to condition that ducting is provided to all spaces to allow for the future expansion of the infrastructure. Is EV charging proposed for HGVs within service yards?
- The proposed level of cycle parking appears to be below that required and you are

encouraged to position these close to the access doors (but not in service yards where HGVs would be common) to enable this to be a priority means of transport as well as benefit from overlooking to assist security.

- The comments of OCC in respect of traffic impact should be referred to within the full response.
- There are comments made in respect of the Framework Travel Plan but it is accepted that this could be addressed by way of a planning condition. However, you may wish to deal with this matter during the application process which may avoid the need for such a condition.

### Bioregional

Please find attached the comments from Bioregional which have also been saved onto the file. There are a few points of note in here, where additional information is requested and which may avoid the imposition of conditions such as:

- A water cycle study/ proposals relating to reduced water use given the policy requirement around the ambition to achieve water neutrality.
- Information regarding embodied carbon and local sourcing of materials.
- How overheating has been dealt with using CIBSE TM52 (and climate scenarios for the 2050s climate) in the design of the buildings.
- Confirmation within the energy statement of the reduction in carbon emissions achieved for each unit (and site wide) following the addition of PV.
- Has the 'cooling hierarchy' been followed to minimise cooling demand to the office spaces?
- Can further justification for the glazing u-value be provided as this is high?
- Please confirm where the ASHPs would be positioned as these are not visible on the proposed plans.

### Biodiversity

Whilst the Council's Ecologist is content with the ecological survey data provided and has recommended conditions and a S106 contribution towards offsite mitigation for farmland birds, concern is raised regarding the level of Biodiversity Net Gain to be provided. For habitats, the gain is less than 0.5% which is minimal and not considered to be meaningful. With such a small net gain, there is no room for contingency and this is equivalent to just no net loss. A greater level of net gain must be demonstrated to ensure a meaningful and realistic net gain. You should target for a 10% net gain as this is the Council's endorsed position currently and the baseline that we seek on all sites.

I note the position of the tree protection measures but I am unclear why these don't extend further to include the vegetation to the north and east of the site – please could you clarify this?

### S106 Heads of Terms

Contributions have been requested as follows:

- Public Art - £24,181 based upon 16,942sqm of floorspace proposed, which is based upon the rates applied to the commercial development approved by 19/00347/OUT. This would be index linked from Q217.
- Biodiversity offset to mitigate for impacts upon farmland birds – a contribution of

£9,597.88 index linked from 2Q17

- Training and Employment Plan to secure 3 apprenticeship starts
- Requirements relating to construction standards – to secure BREEAM standards and evidence of it (noting that this process needs to reflect the realities of how the process works) as well as CEEQUAL (noting the issues raised relating to phases 1 and 2) as well as a materials scheme.
- Requirements to monitor the development through the construction and post occupancy stages
- Arrangements to link this proposal to the existing major infrastructure agreements (or an arrangement considered suitable as advised by the Council's Solicitors).
- A public transport contribution of £134,375 (index linked from Q2 17) towards bus services serving NW Bicester
- A public transport infrastructure contribution of £19,460 (index linked from April 2017) towards bus stop infrastructure at NW Bicester (unless this is dealt with under S278/S38)
- Traffic Regulation Order
- A travel plan monitoring contribution of £5,271 (index linked from December 2020) towards the cost of monitoring the framework and individual travel plans over the life of the plans
- A public right of way contribution of £2,846 (index linked from April 2017) towards improvements to Bridleway 9 and Bucknell Bridleway 4
- On site highway works – including the element of the SLR to be technically approved to ensure it is built to an adequate standard, suitable for final adoption.
- Obligation to provide a pedestrian/ cycle link between the SLR and Howes Lane and for this to be dedicated as highway once the SLR is connected
- A crossing of Howes Lane to the public right of way at Wansbeck Drive
- A routing agreement to prevent HGV traffic from using Howes Lane

#### Extension of time

The application has passed its 16 week expiry date and given the above, as well as issues in terms of the transport objection and how that might be resolved, I would be grateful to agree an extension of time. At the moment, it is difficult to predict which Planning Committee this might be reported to and then there will be a need to complete a S106 if the application were to be resolved to be approved by the Committee. As such, can I suggest an extension of time until the 31 May 2022 for now with the need to extend this further should this be necessary. As ever, if a decision can be issued earlier then it would not be held up but if further time is needed, then a further extension of time would be sought then. Your response to this point would be appreciated by return.

I trust this is of assistance at this stage and look forward to hearing from you further. I must of course stress that this advice is provided without prejudice to any formal decision the Local Planning Authority may make and again apologise for the lateness of these comments.

Kind regards  
Caroline

**Caroline Ford** BA. (Hons) MA MRTPI  
**Principal Planning Officer – Major Projects Planning Team**  
Development Management Division

Environment and Place Directorate  
Cherwell District Council  
Tel: 01295 221823  
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Find us on Facebook [www.facebook.com/cherwelldistrictcouncil](http://www.facebook.com/cherwelldistrictcouncil)  
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My usual working hours are: Monday to Friday, 09:00am to 17:15pm.

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## Appendix 2

### CORRESPONDENCE FROM BRITA

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Simon Parsons  
Albion Land  
The Stables  
Holdenby House  
Holdenby  
Northants  
NN6 8DJ

30<sup>th</sup> August 2022

Dear Simon

**Planning Appeal in respect of Application 21/03177/F – Axis J9, Phase 3, Bicester**

It was disappointing news that the planning application for Phase 3 was refused by Cherwell DC, as you know the proposed Unit 4 (4,753 sq m) was important for BRITA's operational expansion in Bicester. Since hearing of the refusal we have engaged property consultants (Colliers International) to identify other possible buildings for us in the Bicester area but no suitable alternatives have been found and our plans have been frustrated.

We understand that Albion Land has now submitted an Appeal against Cherwell's decision and are hopeful of being able to bring the Phase 3 development forward in 2023. Whilst the timings are far from ideal for BRITA and some of our expansion plans will need to be delayed, I confirm that the company remains interested in Unit 4 and we fully support the appeal. The key for us is certainty in respect of an occupation date and I very much hope the appeal process will be concluded in the early part of 2023 as you have suggested.

Kind regards



Neal Whitfield  
Managing Director Operations



## Appendix 3

### MARKET ADVICE

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Our Ref: TB/ecy

1<sup>st</sup> September 2022

Emma Lancaster  
Quod  
Capitol  
Bond Court  
Leeds  
LS1 5SP

By email only: [emma.lancaster@quod.com](mailto:emma.lancaster@quod.com)

Dear Emma

**Proposed Phase 3 Development at Axis J9, Bicester**  
**Update to VSL Summary Market Commentary - Bicester Warehouse and Industrial Market dated 14<sup>th</sup> September 2021**

Please note that since providing a market commentary in respect of Albion Land's proposals to develop further industrial and warehouse buildings at Axis J9, Bicester, VSL has been acquired by CBRE.

The VSL & Partners office has been the driving force in the local industrial and office commercial property market since formation in 2002. VSL & Partners has been voted the Estates Gazette most active agent in the Oxfordshire area for 8 consecutive years and has an unsurpassed knowledge base within the industrial market in Oxfordshire. During 2021, the firm transacted over a million sq ft of space in the Oxfordshire area which represented some 66% of all transactions during this period. The firm has also been involvement with most of the schemes in the M40 area including those at Bicester. The firm produces detailed statistics on take-up and supply within the Oxfordshire area which are published in the annual VSL & Partners intel report. Please see link here: [Oxfordshire Commercial Property Review 2021](#)

At the date of our original letter, Albion Land's proposals included a range of six smaller employment units of between 297 sq m and 483 sq m as well as five mid-sized units ranging from 1,738 sq m to 4,756 sq m. We are aware that in response to Officer feedback about the layout of the scheme, the smaller units were subsequently removed from the application prior to the planning officer's report to the Cherwell Planning Committee and the subsequent determination of the planning application. Accordingly this update relates to the proposed five mid-sized units only.

We are aware that an appeal has been submitted by Albion Land following the decision by Cherwell District Council to refuse Planning Application 21/03177/F. Albion Land has asked CBRE to review the market commentary and to provide updates where appropriate. Subject to a few minor market updates, the September 2021 commentary continues to be an accurate summary of the market and remains relevant to the current appeal process.

Our previous commentary concluded that the proposed development would have:

1. Helped satisfy a severe shortage of supply in and around Bicester of industrial, manufacturing, warehouse and logistic units
2. Maintained inward investment and
3. Supported economic growth in Bicester.

This continues to be our opinion with no new warehouse or industrial units being developed in Bicester in the last two years other than the large specialist 25,000 sqm distribution building at Symmetry Park.

## **Proposed Phase 3 Development at Axis J9, Bicester Update to VSL Summary Market Commentary - Bicester Warehouse and Industrial Market dated 14<sup>th</sup> September 2021**

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The level of occupier demand remains strong and a number of companies, including Brita Water Filter Systems, have been disappointed by Albion Land's inability to bring Phase 3 forward and are now struggling to find alternative locations. Such requirements are likely to have to consider options outside the Cherwell DC area in light of the lack of supply. We remain firmly of the opinion that if Phase 3 can be developed then the units will let rapidly with the majority likely to be pre let.

Referring to the sub headings used in the September 2021 commentary the following updates should be taken into account.

### **Axis J9 – Development to Date**

Phase 2 of Axis J9 (units of 8,361 sq m and 14,864 sq m) was completed in late 2021 as scheduled and the units were pre let to Arrival (software and electric vehicle innovation) and The Menu (food production and distribution). No units are available at Axis J9.

### **Other recent developments in Bicester**

Symmetry Park, Aylesbury Road, Bicester was previously discussed. The final building on this specialist B8 distribution park is now nearing completion and will provide a logistic unit of 25,089 sq m. The building remains available but we understand is subject to occupier negotiations. It should be noted that the building is significantly larger than any of the proposed units at Phase 3, Axis J9 and caters for a different sector of occupational market. The 5 units proposed at Phase 3, Axis J9 (1,783 sq m to 4,756 sq m) will cater for the 'mid box' manufacturing and warehouse market rather than large scale distribution and logistics.

### **Bicester Industrial and warehouse Market – Looking Forward**

It was previously anticipated that Phase 3 would have been developed in 2022 and we now understand that Albion Land plan to develop as soon as possible if the appeal decision is favourable, hopefully units will be available for occupation by early 2024. Despite this delay, we are not aware of any new units other than the 25,089 sq m building at Symmetry Park which will be available within this timeframe and we consider is critical for the continued employment growth in Bicester that Phase 3 is allowed.

A fresh outline planning application has been submitted for up to 104,008 sq m of B8 development at Site D1 Graven Hill by a proposed purchaser of the property. The site was a former MOD logistics centre where there are existing buildings total 41,831 sq m so additional floor space of 62,177 sq m is being sought. The site has an extant permission as part of the wider outline permission granted for the mixed use redevelopment of the whole Graven Hill site which was granted in 2014 but the current owner, Graven Hill Village Development Company (owned by Cherwell District Council), has not brought site D1, the main employment part, forward for development. It is clear from the supporting documents submitted that the proposed purchaser envisages a specialist high bay distribution park on the site with indicative buildings ranging from circa 7,000 to 22,000 sq m.

Like Symmetry Park, the proposals at Graven Hill will cater for the large logistics market which is driven by national 3<sup>rd</sup> party logistic operators and online retailers not the 'mid box' market which suits expanding local and regional industrial, manufacturing and warehouse operators as targeted at the proposed Phase 3, Axis J9. Given that the Graven Hill proposals are at the early stage of an outline application it seems unlikely that any buildings will be available here within the next 24 – 30 months.

### **Suitability of the Axis j9 Phase 3 Proposals**

We previously advised that Albion Land's development proposals were ideally suited to match the occupier demand for Bicester and this firmly remains our opinion. Indeed with no new development in the last two years to satisfy demand for mid-sized units, the proposed units are needed more than ever if Bicester is to continue to expand its employment base and cater for the growth of local occupiers.

Without any formal marketing, we received very strong interest in the proposed Phase 3 development prior to Cherwell's decision to refuse permission. In particular letting terms were agreed with Brita Water Filter Systems for the largest of the proposed 5 units. Brita are a long established occupier in Bicester with their UK HQ and manufacturing facility on Granville Way, they urgently need a further facility in Bicester to facilitate expansion plans and the Phase 3 proposals were ideal for them.

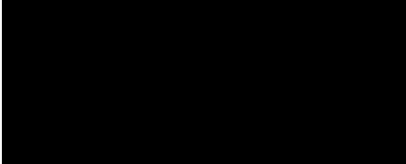
**Proposed Phase 3 Development at Axis J9, Bicester**  
**Update to VSL Summary Market Commentary - Bicester Warehouse and Industrial Market**  
**dated 14<sup>th</sup> September 2021**

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We are aware that following refusal of the planning application, the company has been struggling to find an alternative building and the delay in securing this new building has potential to compromise the growth of the Bicester business.

CBRE fully support the proposed Phase 3 development as we believe the supply of such units is critical if current levels of occupier demand are to be satisfied in Bicester. No other proposed development in the town or nearby area will provide the necessary mid-sized units as proposed at Phase 3. Without such development within the next year or so, employment growth in the town will falter with a negative impact on the local and regional economy.

Yours sincerely



Tom Barton – Senior Director  
For and on behalf of CBRE Limited



## Appendix 4

### **OFFICER REPORT TO COMMITTEE**

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21/03177/F

Axis J9 Phase 3

Howes Lane

Bicester



Axisj9

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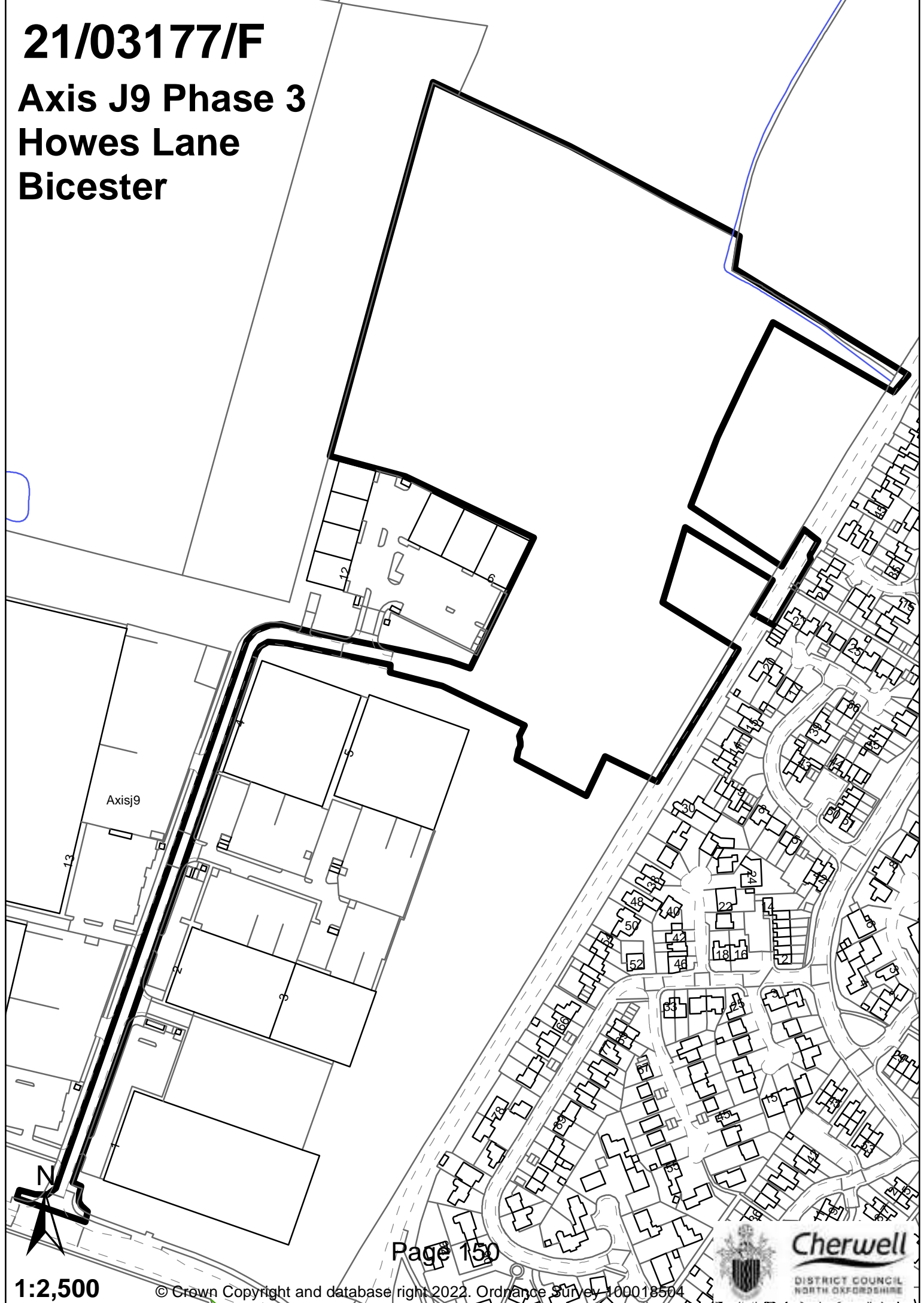


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# 21/03177/F

## Axis J9 Phase 3 Howes Lane Bicester



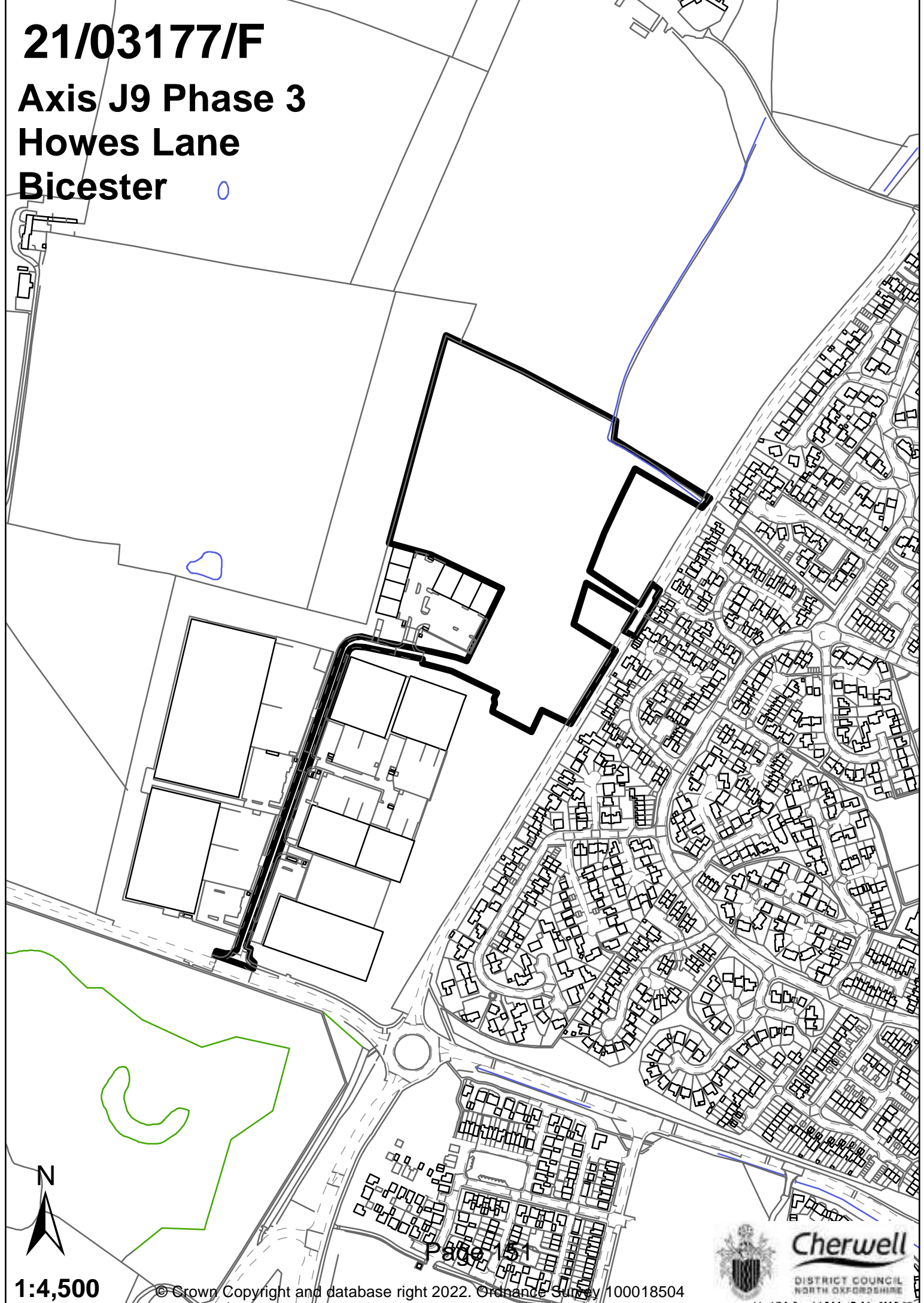
Axisj9

**21/03177/F**

**Axis J9 Phase 3**

**Howes Lane**

**Bicester**



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**Case Officer:** Caroline Ford

**Applicant:** Albion Land

**Proposal:** Full planning application for employment development (Use Classes E(g)(iii), B2 and/or B8) comprising 5 units within 3 buildings and associated parking and servicing, landscaping and associated works

**Ward:** Bicester North and Caversfield / marginally Bicester West

**Councillors:** Councillors Mawer, Pratt, Slaymaker (Bicester North and Caversfield)  
Councillors Broad, Sibley, Webster (Bicester West)

**Reason for Referral:** Major development

**Expiry Date:** 29 July 2022

**Committee Date:** 16 June 2022

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**SUMMARY OF RECOMMENDATION: GRANT PERMISSION SUBJECT TO THE REMOVAL OF THE LEAD LOCAL FLOOD AUTHORITY OBJECTION, CONDITIONS AND SUBJECT TO A S106 LEGAL AGREEMENT**

**1. APPLICATION SITE AND LOCALITY**

- 1.1. The application site is situated to the west of Bicester and sits within the land allocated for a new zero carbon, mixed-use development by Policy Bicester 1 of the Cherwell Local Plan 2011-2031 (Part 1). The site is at the southern end of the allocated site, close to the Middleton Stoney Road/ Howes Lane roundabout and is directly adjacent (to the north) of the new employment site known as Axis J9.
- 1.2. To the east of the site, a parcel of land exists which forms part of the NW Bicester site, with the existing Howes Lane beyond this and then the existing residential area to the west of Bicester (Bure Park). To the south is the Axis J9 site, with the Middleton Stoney Road and then Bignell Park beyond. To the west, a block of trees/ vegetation is present and to the north a hedgerow. To the west and north beyond these natural features is land allocated for development via Policy Bicester 1.
- 1.3. The site is relatively level with a high point of approximately 85mAOD to the northwest corner and a low point around 82mAOD to the northeast corner and is generally bound by natural vegetation. The land was last in use as agricultural land but has not been actively farmed for a number of years, at least since the commercial development to the south was implemented.

**2. CONSTRAINTS**

- 2.1. As mentioned above, the site has natural constraints including the natural boundary features and nearby vegetation. The site is in flood zone 1. There are no heritage assets on the site although there are Grade II listed buildings at Himey Farm to the west of the site. The site has some potential to be contaminated and a public right of way is in proximity to the east of the site (running from Wansbeck Drive towards Howes Lane).

### **3. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 3.1. The application has been amended since its initial submission following concerns raised by Officers relating to the design of the development proposed on the eastern parcel of land. This element was subsequently removed.
- 3.2. In its amended form, the application proposes three buildings, one of which is subdivided into 3 units giving 5 units in total, with a floor area of 14,835sqm GEA. Units 1-3 (in one building) have their rear elevation to the south with units 8-14 (now addressed 6-12 Empire Road, Bicester) beyond with a landscaped bund of 1.5-2.5m height proposed between. To the north of units 1-3 are their associated service yards with an access road, then two further service yards serving units 4 and 5 which then sit to the north. Landscaped bunds ranging from 1-3m high are also proposed to the west and north. The proposal seeks to create development plateaus for the proposed buildings at around 84.200mAOD – 84.400mAOD.
- 3.3. Units 1-3 are contained within one building which measures 13.6m in height (taken from a finished floor level of 84.200mAOD) and they are smaller units with floorspaces of between 1,867sqm GEA to 2,054sqm GEA. Unit 4 measures 15.15m in height (finished floor level of 84.400mAOD) with a floorspace of 4,956sqm GEA and Unit 5 measures 15.15m in height (finished floor level of 84.200mAOD) with a floorspace of 4,030sqm GEA. As well as service yards for each building, car parking is proposed.
- 3.4. The design of the buildings generally follows the design approach adopted on the Axis J9 site to the south with a similar materials palette, projecting fin detailing, and solar panels situated on the southern facing roof slopes.
- 3.5. Over 40% Green Infrastructure is proposed as well as the retention of the trees and hedgerows along the site boundaries. 10m buffers, in accordance with the SPD requirements are also provided to each hedgerow but the proposed bunds and service are proposed within this area. A net biodiversity gain of 5.5% is proposed. Sustainable drainage systems and landscaping is also proposed.
- 3.6. The buildings are designed to meet BREEAM Very Good level and to meet True Zero Carbon requirements with the buildings being built to high environmental standards and with the use of PV panels and air source heat pumps. Electric Vehicle Charging points are also proposed.
- 3.7. Access is proposed to the site from Empire Road (the Axis J9 site), from the south from the Middleton Stoney Road. This access route is a temporary arrangement in the same way that the current access to 6-12 Empire Road is temporary until such time that the strategic road, as currently approved, is implemented. At that point, access would be taken from the strategic road. The site does however propose permanent road infrastructure including the provision of part of the realigned Howes Lane comprising a 7.3m wide road, right turn lanes, swale and verges, footpaths and segregated cycleways on both sides of the road. Car and cycle parking is also proposed as well as electric vehicle charging infrastructure.
- 3.8. The site is proposed to be operational for 24 hours a day.
- 3.9. The applicant has submitted a letter from Brita Water Filter Systems Ltd which explains that they have agreed letting terms of the largest proposed unit (unit 4). They are looking to expand their operations in Bicester and require the new facility to be completed ready for operations to commence in mid-2023.

#### 4. RELEVANT PLANNING HISTORY

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

14/01675/OUT

OUTLINE - Erection of up to 53,000sqm of floor space to be for B8 and B2 with ancillary B1 (use classes) employment provision within two employment zones covering an area of 9.45ha; parking and service areas to serve the employment zones; a new access off the Middleton Stoney Road (B4030); temporary access off Howes Lane pending the delivery of the realigned Howes Lane; 4.5ha of residential land; internal roads, paths and cycleways; landscaping including strategic green infrastructure (G1); provision of sustainable urban systems (suds) incorporating landscaped areas with balancing ponds and swales. Associated utilities and infrastructure.

Application Refused/but Allowed at appeal

17/00455/HYBRID

Hybrid (part full & part outline) application for: (1) Full - construction of a temporary vehicular and pedestrian access (including footway along Howes Lane), permanent highway works (part of proposed realigned Howes Lane) and pedestrian link to Howes Lane; (2) Outline - residential development, including landscaping, public open space, vehicular and pedestrian access.

Application Permitted

17/01090/OUT

Development of B1, B2 and B8 (Use Classes) employment buildings, including landscaping; parking and service areas; balancing ponds and swales; and associated utilities and infrastructure. Construction of a new access off Middleton Stoney Road (B4030); temporary access off Howes Lane; internal roads, footways and cycleways

Application Permitted

19/00349/REM

Reserved Matters to 14/01675/OUT - layout, scale, appearance and landscaping details for Phase 1 of the employment development (21,684sqm flexible B1c/B2/ B8 floorspace) and earthworks for Phase 2 of the employment development (pursuant to the Amended Appeal Consent)

Permitted

19/00347/OUT

Minor material amendment to planning permission 14/01675/OUT to vary conditions 6, 7, 8, 9 and 10 to refer to updated parameter plans and temporary access plan; variation of condition 14 to enable delivery of employment development in full in advance of strategic link road; and amendment of condition 20 to reflect removal of temporary access onto Howes Lane (Outline reference number 14/01675/OUT, granted at Appeal - Ref: APP/C3105/W/16/3163551 for the erection of up to 53,000sqm of floor space to be for B1, B2 and B8 (use classes) employment provision within two employment zones covering an area of 9.45ha; parking and service areas to serve the employment zones; a new access off the Middleton Stoney Road (B4030); temporary access off Howes Lane pending the delivery of the realigned Howes Lane; 4.5ha of residential land; internal roads, paths and cycleways; landscaping including strategic green infrastructure (GI); provision of sustainable urban systems (SUDS) incorporating landscaped areas with balancing ponds and swales; associated utilities and infrastructure)

Permitted

20/02454/REM

Reserved Matters application to 19/00347/OUT - layout, scale, appearance and landscaping details for Phase 2 of the employment development (23,226sqm flexible B1c and/or B2 and/or B8 floorspace), associated utilities and infrastructure and swale (SuDS) and strategic green infrastructure landscaping.

Permitted

20/03199/OUT

Variation of condition 13 (extent of employment development usage) of 19/00347/OUT – to enable up to 85% of the commercial site to be occupied for Use Class B8 in respect of the site

Permitted

- 4.2 The two submissions for reserved matters permission for Phase 1 and 2 (19/00349/REM and 20/02454/REM) allowed 44,810sqm of floorspace which represented 84.5% of the original floorspace consent (up to 53,000sqm).
- 4.3 Various discharge of condition and obligation applications have been made against the outline and reserved matters applications which have enabled Phases 1 and 2 to be implemented.

## **5. PRE-APPLICATION DISCUSSIONS**

- 5.1. No pre-application discussions have taken place with regard to this proposal.

## **6. RESPONSE TO PUBLICITY**

- 6.1. This application has been publicised by way of a site notice displayed near the site, by advertisement in the local newspaper, and by letters sent to all properties immediately adjoining the application site that the Council has been able to identify from its records. The final date for comments was **21 May 2022**.
- 6.2. 29 representations have been received. The comments raised by third parties are summarised as follows:

### **FLOODING**

- There have been increased flooding events in local streets including Beckdale Close in recent years and since Axis J9 was constructed. This should be reviewed for all local roads.
- More units on massive concrete slabs will only cause even more regular flooding.
- Enhanced safety factors/measures and sufficient/adequate flood prevention measurements must be given serious and careful consideration concerning the higher risk factors now directly effecting residents with properties close to or immediately backing onto Howes Lane.
- The risk of flooding has impacted residents' insurance premiums.
- The realignment of Howes Lane will help but this does not alleviate the worries local residents hold.

### **HIGHWAY SAFETY/HOWES LANE RE-ALIGNMENT**

- Howes Lane cannot support more HGV traffic.
- Warehouses should be placed away from residential areas and closer to the motorway junctions, which would help highway issues.

- The plans originally proposed housing to support growth and this was a reason given for the warehouses being built where they were (commercial development is needed close to where populations will grow).
- No additional building work should occur until Howes Lane is realigned to help support traffic. This would mitigate the noise and air pollution and route traffic away from existing residential areas.
- The road infrastructure will not be able to support all the approved planning permissions locally without changes. Local roads are already used as cut-throughs when it is busy elsewhere, which puts residents at risk.
- There are concerns about the safety of residents that back onto Howes Lane if a lorry were to leave the highway.
- Local residents were promised the realignment of the road and for residential homes, green spaces and schools. Not overbearing warehouses.

### **AMENITY/NOISE/FUMES**

- There are already noise concerns in the local area from traffic noise.
- There are concerns with health and wellbeing for residents and local wildlife.
- There will be additional light pollution on top of what is experienced from the current warehouses.
- What are the proposed operating hours? They should not be 24/7 operations.
- Concerns over the noise levels set out in the reports.
- Concerns over noise from the construction phase and then HGV movements at all hours. Noise from the existing units already causes problems.
- Concerned about air pollution.
- This will bring additional disruption to an established residential area.
- Residents cannot enjoy their gardens due to the volume of traffic, noise and pollution.

### **VISUAL/ RESIDENTIAL AMENITY**

- The height of the units will tower over existing residential properties and this will affect privacy, views, wellbeing, access to natural light and increase disruption.
- The units are too close to existing residential units.
- More residential dwellings are needed not empty warehouses. Gardens will be overlooked by soulless buildings towering over them.
- Residents don't want to have such eye sores when looking out of their windows.
- The proposal will ruin the Bicester landscape. The existing warehouses are an eyesore during autumn and winter months.
- The proposals will block out evening sun for nearby residential properties opposite.
- Views of fields and greenery would be spoilt by the development.
- The site should be developed aesthetically.
- The proposals would devalue properties nearby.
- New estates are segregating Bicester and causing a loss of its sense of community.
- The cost of living would remove local warehouse workers so they would have to commute into the town to support these warehouses.

### **ECOLOGY/BIO-DIVERSITY**

- There should be measures included to shield/ buffer properties from the warehouses.

- Guidance in 'Biodiversity in the Built Environment should be followed.
- Biodiversity features should be incorporated.

#### **UNSUITABLE/CHANGE TO PLANS**

- Residential properties should be provided here as planned. This is what residents expect. It is morally wrong to change this.
- Residential development of 2-3 stories would be less detrimental to the surroundings and residents than 11m warehouses.
- The town would benefit from more housing and the accompanying green space, and other services.
- Green spaces in and around Bicester need to be protected.
- Warehouses are incompatible with the vision for a garden town.
- Affordable housing is needed.

#### **AMENDED PLANS**

- The latest plans do not go far enough.
- The letter from Brita should not be given weight as this could apply in the future for the eastern parcels with other interest.
- Green Infrastructure on Howes Lane should not be relied upon as this could be back-tracked on later.
- The money ear-marked to Howes Lane has been given away and this should be completed as a priority before any further development is allowed.
- Traffic modelling cannot convey the impact of increased traffic, pollution and noise from large nearby planned developments.

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

### **7. RESPONSE TO CONSULTATION**

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

#### PARISH/TOWN COUNCIL AND NEIGHBOURHOOD FORUMS

7.2. **BICESTER TOWN COUNCIL: Strongly object.** Originally the proposal was to provide housing provision. Mass and scale of the buildings need to be considered and not dominate the skyline. Howes Lane is already experiencing an increase in traffic movement due to cumulative developments in Bicester. The proposal is premature and contrary to the NW Bicester Masterplan and the Cherwell Local Plan. The site has been zoned for 150 residential units as part of the 6,000 home Eco- Development at NW Bicester. There would be an adverse impact on the character and appearance of the area. The proposal would result in the loss of green infrastructure and have an adverse impact on the Local Walking, Cycling Infrastructure Plan. There would be an adverse impact on the secondary school site, the school sport pitches and the retail shops and on the local road network. There have been examples of flooding in nearby residential properties in recent years. No further planning applications are allowed on the NW Bicester site other than those applications which have already been approved by the Local Planning Authority until the new realigned Howes Lane has been constructed.



- 7.3. BUCKNELL PARISH COUNCIL: No comments received.
- 7.4. CHESTERTON PARISH COUNCIL (first response): No problems with this planning application.
- 7.5. CHESTERTON PARISH COUNCIL (second response): **No objection**, but concerns over the traffic issues on Howes Lane and extra noise.
- 7.6. MIDDLETON STONEY PARISH COUNCIL: **Object in the strongest terms**. It seeks to cancel the requirement to build 150 dwellings and to build in its place an industrial/storage facility. Particular concern is the increase in HGV traffic that such a development will create on a road system already under severe stress. Whilst the proposal states that it would not have a significant increase in traffic, what about the cumulative effects. Middleton Stoney is vulnerable is narrow to safely accommodate HGVs without endangering pedestrians. Routing agreements are often not policed or enforced. Given the regular news regarding an acute shortage of housing, it is important that more housing be built.

#### CONSULTEES

- 7.7. CDC ARBORICULTURE: No comments received.
- 7.8. CDC BUILDING CONTROL: Fire service access must be in accordance with Approved document B Volume 2 Section H5.
- 7.9. CDC ECOLOGY (first response): The ecological survey data is acceptable and updated appropriately. A CEMP for biodiversity and a detailed habitat and landscape plan (LEMP) should be sought by condition. The applicants propose to contribute to the specific site wide off-site mitigation scheme for farmland birds, the amount and timescale need to be secured. The biodiversity metric demonstrates that there will be a net gain on site however for habitats, the gain is very minimal and this is not likely to be meaningful and leave no room for contingency so are equivalent to no net loss. A higher level of net gain for biodiversity should be secured.
- 7.10. CDC ECOLOGY (second response): The whole metric ought to be provided but the submission does give a score of 5.5% which although falls short of the 10% we seek, it's broadly acceptable in policy terms. Some concerns regarding the conditions that it is proposed some of the habitats could reach. The LEMP for the site will need to contain review periods by an Ecologist to ensure that the habitats have reached the conditions specified and make adjustments if not to ensure a net gain is achieved in the long term.
- 7.11. CDC ECONOMIC DEVELOPMENT: The proposed development should create facilities that would contribute towards the economic growth aims of the Council. The proposed modern premises would be suitable for a range of business activity to assist the advancement of local employers and inward investors. It would also assist the development of supply chains and the creation of employment opportunities, complementing the evolution of the local economy and increasing resident population. From an economic growth point of view, the proposal is supported. They would be of particular benefit to small and medium-sized employers. The Market Report confirms the Officers understanding of the level of recent and on-going demand for commercial premises. The zero carbon ambition of the proposal is welcomed but a higher BREEAM standard should be sought as the commercial occupier market has ever-increasing expectations of quality accommodation. The proposed development would create significant local job opportunities and apprenticeships during the construction phase. The creation of a Training and Employment Plan is welcomed.

#### 7.12. CDC ENVIRONMENTAL HEALTH (first response):

- Noise: Having considered the report provided with the EIA, the findings are satisfactory and agree the noise limits suggested for plant on site in the operational phase. Conditions are recommended.
- Contaminated land: The phased contaminated land conditions are recommended.
- Air Quality: A condition is recommended to require a detailed air quality impact assessment to consider the impact of the development on local air quality. A condition is also recommended with regard to EV charging infrastructure.
- Odour: No comments.
- Lighting: A condition is recommended to require details of any external lighting for the site.

*Officer comment: Upon querying the proposed condition for lighting (on the basis of a plan submitted) and contaminated land (based upon the conclusions of the Inspector relating to the site to the south), it has been confirmed that a condition requiring a lighting scheme is not required and that a condition relating to unexpected contamination would be sufficient.*

#### 7.13. CDC ENVIRONMENTAL HEALTH (second response): The comments above continue to apply.

#### 7.14. CDC LANDSCAPE (first responses):

- The Landscape Management Plan is acceptable, however detailed hard and soft landscape proposals and the tree pit detail should be appended to it. Advice is provided as to what should be included in detailed landscape proposals.
- The LVIA is considered to be generally acceptable.
- With regard to the screening and visual mitigation of the buildings indicated on the planting strategy drawing, the proposals were generally considered acceptable but concerns were raised regarding the northern site boundaries existing hedgerow which would not provide sufficient screening or buffering of the 16m high unit and additional space could be introduced to enable large native trees to be provided to benefit the scheme.
- Comments were made on specific species proposed as well as the required information to be demonstrated on detailed soft landscape proposed.
- With regard to the Landscape Management Plan, comments were made relating to the maintenance period which is lower than Phase 2 and that it would need to explain various parts of the proposal.

#### 7.15. CDC LANDSCAPE (second response):

- The trees alongside the strategic link road cycleway should be positioned so that they prevent structural damage to the cycleway by tree roots.
- Additional native trees should be planted on the northern boundary to supplement the hedgerow and provide the necessary visual mitigation of the proposed development parcels. Are swales proposed in this area?
- The Landscape Management Plan will need to be updated to include the consented detailed landscape proposal once available. The submitted plan and its planting typologies do not provide sufficient detail. Comments also continue to be made with regard to the maintenance period.

- Detailed hard and soft landscape proposals are required as well as tree pit details.

7.16. CDC PLANNING POLICY: No comments received.

7.17. CDC PUBLIC ART: Based upon the newly proposed floorspace of 16,942sqm for commercial use, an additional contribution towards public art of £24,181.26 should be provided. This figure is based on rates applied to the previous stages of the development where £75,646.74 was agreed for the initial 53,000sqm. This should be index linked from the same date of the original agreement. The contribution is to be used towards offsite and support cultural wellbeing in the area through participatory and public art features.

*Officer note: The contribution request would need to be revised to reflect the reduced floorspace proposed through the amended scheme.*

7.18. CDC BICESTER DELIVERY TEAM: No comments received.

7.19. CDC LAND DRAINAGE: (First Response) – the LLFA will need to comment. The site will drain to an attenuation basin that has at least in part already been constructed to serve an adjacent completed building. The basin drains to the minor ordinary watercourse known locally as the Gowell Brook, which flows only seasonably. This water course is also proposed to serve other NW Bicester, so it is critical to the drainage infrastructure locally. It flows through a culvert under Howes Lane which is known to be partly obstructed, which has caused internal flooding to several residential properties locally. This obstruction should be removed to ensure that there is no further increase in risk to affected properties.

7.20. CDC LAND DRAINAGE (Second Response): The proposed strategy directs surface water away from the Gowell Brook and existing development to a linear sequence of swales that serve the Axis J9 Phases 1 and 2. This is acceptable, as it would remove any increased risk of flooding to the existing development to the east and potentially reduce it. The LLFA should comment and should note that the land does not currently contribute to the catchment to which Phases 1 and 2 drain and the system of outfall pipes and ditches beyond the site boundaries has not been surveyed or proven to be capable of discharging the attenuated flows from the site.

7.21. CDC LAND DRAINAGE (third response): No further comments.

7.22. CDC LAND DRAINAGE (fourth response): No further comments. The surface water drainage is proposed to discharge to the existing site infrastructure which has been designed to accommodate Phase 3. No further comments on the site-specific infrastructure for Phase 3.

7.23. CDC LAND DRAINAGE (CLARIFICATION):

- Previous comments about the partially blocked culvert under Howes Lane should be disregarded when considering this application. The proposal for this phase is to pass through the already installed drainage for phases 1 and 2 and not through the Howes Lane culvert.
- The blocked culvert under Howes Lane connects to the piped system north of Beckdale Close. *Officer note – it is understood it is this that has caused recent flooding.*
- The culvert to the south which is planned to take drainage from Axis J9 and other sites has some trees growing in it which could cause blockages and flood risk. This will need to be monitored closely.

7.24. BIOREGIONAL (SUSTAINABILITY ADVISORS TO CDC): Key points summarised as:

- No carbon management plan is provided.
- Conditions should be used to secure a staged process to demonstrate BREEAM compliance.
- Energy monitoring and real time information display systems should be required.
- No water cycle study has been provided.
- The suggestions to reduce greenhouse gas emissions is positive.
- The proposal meets the definition of net zero carbon (taking into account regulated and unregulated emissions) via the buildings being designed to be highly efficient and the integration of PV panels and air source heat pumps for the office spaces. Additional clarification is sought regarding the reduction of carbon emissions achieved for each unit (and site wide) following the addition of PV.
- It is not confirmed if locally sourced materials, recycled or modular construction will be used.
- A condition should be used to ensure analysis and compliance relating to overheating using CIBSE TM52.
- Further details of safe walking and cycling routes should be demonstrated. Further detail on active travel should be provided. Confirmation of the provision of EV charging points should be provided.
- The drainage strategy has been designed for a 100 year + 40% climate change allowance. The drainage strategy includes SuDS.
- Further information should be provided with regard to green space for recreation.
- The proposal should be reconsidered to demonstrate a 10% net biodiversity gain.
- A condition to ensure efficient water consumption is suggested.
- Additional information should be sought around allowable solutions, the glazing u-values (although other u-values such as for building fabric are good) and confirmation of the renewable energy technologies considered.

7.25. OXFORDSHIRE COUNTY COUNCIL (MEMBER COMMENTS – CLLRS SIBLEY, WAINE AND FORD):

- High level of public interest and concern and Bicester Town Council strongly objects.
- This is a speculative proposal, is premature and contrary to the NW Bicester Masterplan and Policy Bicester 1 of the adopted Cherwell Local Plan.
- No further planning applications are allowed on the NW Bicester site other than those which already have approval until the realigned Howes Lane has been constructed. This is critical and should be the key priority without delay.
- The scale and height of the 11 warehouse buildings that range from 8-12m in height will have an unacceptable landscape impact and will impact on the amenity of existing and new residents. There would be adverse impacts on the character and appearance of the area, and it would dominate the street scene and blight the skyline.
- The proposals are contrary to Policy SLE1 which states that careful consideration should be given to locating employment and housing in close proximity as unacceptable adverse effects on the amenity of residential properties will not be permitted.
- The development would be built on land at high risk of flooding. Local residents have suffered flooding in the past few years.

- The proposal would result in the loss of Green Infrastructure and would impact on the Local Walking and Cycling Infrastructure Plan and the internal bus network throughout NW Bicester.
- The proposal would have an adverse impact on the secondary school site, sport pitches, shops, health and community centres by marginalising them from the residential development. Concerns for the safety of school children and parents having to use an industrial business park as part of the route to school.
- Adverse impacts on the road network by traffic congestion, noise, air and light pollution.
- The proposal to build storage and distribution units on a site zoned for housing is unacceptable and would unnecessarily and unjustifiably erode the ambitions of the Local Plan.

7.26. OXFORDSHIRE COUNTY COUNCIL TRANSPORT (First response): Objection:

- The application does not adequately demonstrate that the traffic impact of the development will not be severe. The application assumes the strategic link road diversion will be in place in 2024 and argues that there is sufficient capacity in the local road network for the development to be occupied before this is open. However, this is not accepted. There is uncertainty of delivery of the SLR and therefore a resultant severe congestion impact could last many years.
- Cycle facilities on the west of the strategic road do not appear to be segregated. Whilst this is in line with the permitted layout for the link road, policy has changed since that permission was granted and a segregated, LTN1/20 compliant facility would be required.
- The development does not provide adequate pedestrian and cycle connectivity to existing residential areas meaning that it does not provide a range of sustainable transport options. This is also an unacceptable safety risk.
- The amount of cycle parking appears to be insufficient for the size of the development, again meaning that the development does not adequately provide for a range of sustainable transport options.
- The proposed cycle facilities are not considered to be compliant with current guidance.
- S106 and conditions are recommended.

*Officer note, the contribution requests would, in some cases, need to be revised to reflect the reduced floorspace proposed through the amended scheme.*

7.27. OXFORDSHIRE COUNTY COUNCIL TRANSPORT (second response): Objection:

- The applicant is proposing that development on the western parcel is restricted to B8 prior to the opening of the strategic road infrastructure. However, there are some anomalies in the assessment of traffic impact.
- A pedestrian connection to and a signalised crossing over Howes Lane has been included in the proposals.
- Segregated Cycle facilities on the strategic link road have been included but improvements are required to cycle connectivity and cycle parking in the interests of promoting sustainable travel.
- Car parking provision for the warehousing units is too generous and should be reduced in the interests of promoting sustainable travel.

7.28. OXFORDSHIRE COUNTY COUNCIL TRANSPORT (third response): Objection:

- Improvements are still required to the cycle connectivity on the strategic link road (in terms of the width of the provision and the inclusion of a buffer which would improve user experience and result in beneficial changes to the priority crossing of the access) and cycle parking.
- The application has been amended to remove the eastern parcel from the application and proposes that the western parcel is used for entirely flexible uses. The footway/ cycleway remains connecting the site to a proposed new signalised crossing of Howes Lane, with onward connection to the public footpath leading to Wansbeck Drive.
- The route leading to the signalised crossing is 3m in width. As this is an interim route only, the applicant considers this to be sufficient. OCC consider that this should serve cyclists as well as pedestrians given the strong sustainable transport policy. A barrier chicane as proposed is not supported.
- Full details of the signalised crossing should be requested by condition.
- Continued concerns raised regarding the proposals for routes to the cycle parking within the HGV areas.
- The predicted peak hour trip generation has been revised in accordance with the reduction in floor area and is based upon industrial rather than warehousing which represents a worst case. This has been tested in the Bicester Transport Model using a reference case for 2026 without the A4095 realignment. This shows a modest impact of 4 vehicle movements at the Howes Lane/ Bucknell Road/ Lords Lane junction. Although the junction is predicted to be over capacity this level of additional vehicle movements could not be considered severe. This objection is therefore removed. A condition to restrict occupation of the development until the strategic link road is in place is not recommended. This is subject to a routing agreement requiring HGVs to leave the site to the south using Vendee Drive and the A41.
- The return to a flexible use rather than B8 only removes the previous objection on the basis of over-provision of parking.

7.29. OXFORDSHIRE COUNTY COUNCIL TRANSPORT (fourth response): No objection subject to S106 requirements and planning conditions.

- A technical note relating to the proposed cycling infrastructure has addressed the previous comments.
  - The amended site plan shows a segregated cycleway on the western side of the future A4095 realignment and the Axis J9 phase 1 has been widened on that part of the link for which no constraints exist;
  - The western footway/ cycleway along the A4095 realignment has been set back behind a 1m verge;
  - The link between the future A4095 and Howes Lane (to the signalised crossing) is a 3m shared use route which is acceptable on a temporary basis as most cyclists in the future would use the realigned A4095;
  - The crossing works on Howes Land will be subject to technical audit;
  - There will need to be a requirement to agree technical details of the access road with OCC prior to construction as it forms part of the future A4095 alignment. The cycle link will be offered for adoption in the future so OCC must agree its details.
  - Cycle parking for the units has been moved from the goods in/ out area to the car parking area.

- 7.30. OXFORDSHIRE COUNTY COUNCIL LEAD LOCAL FLOOD AUTHORITY (first response): Objection:
- A detailed surface water management strategy should be submitted in line with local standards and as the proposal is a full application, a definite proposal of all SUDs that will be installed as part of the scheme is required.
- 7.31. OXFORDSHIRE COUNTY COUNCIL LEAD LOCAL FLOOD AUTHORITY (second response): Objection:
- Various detailed queries raised with regard to the proposed scheme and the information provided.
- 7.32. OXFORDSHIRE COUNTY COUNCIL LEAD LOCAL FLOOD AUTHORITY (third response): Objection as no additional information has been received.
- 7.33. OXFORDSHIRE COUNTY COUNCIL LEAD LOCAL FLOOD AUTHORITY (fourth response): Objection due to missing information (this was due to an error in the information being made available).
- 7.34. ENVIRONMENT AGENCY: No objection. Advice is provided for future occupiers relating to potential polluting activities and on their regulatory role in issuing other legally required consents, permits or licences for various activities.
- 7.35. NATURAL ENGLAND (first response): No objection as the proposed development will not have significant adverse impacts on designated sites. Natural England considers that the proposed development will not damage or destroy the interest features of nearby SSSIs.
- 7.36. NATURAL ENGLAND (second response): previous advice continues to apply. The proposed amendments to the original application are unlikely to have significantly different impacts on the natural environment than the original proposal.
- 7.37. NATIONAL HIGHWAYS: No objection. The Transport Assessment has been reviewed and it is acknowledged that the proposals shall produce a lower development trip impact than that of the previously consented residential development which National Highways had no objection to. National Highways confirmed this position to a re-consultation based upon the amended scheme that reduced the scale of the development.
- 7.38. NATIONAL PLANNING CASEWORK UNIT: No comments received.
- 7.39. THAMES WATER: (First response):
- Thames Water has been unable to determine the foul water infrastructure water needs of the development. A planning condition is recommended.
  - The application indicates that surface water will not be discharged to the public network and so Thames Water has no objection.
  - Thames Water recognises that this catchment has high infiltration flows during certain groundwater conditions. The scale of the proposed development doesn't materially affect the sewer network and so there is no objection, however care needs to be taken to ensure flooding is not caused.
  - Thames Water have no objection with regard to water network and water treatment infrastructure capacity. An informative should be added relating to water pressure.

#### 7.40. THAMES WATER (second response):

- Thames Water recognises that the catchment is subject to high infiltration flows during certain groundwater conditions. The scale of the development does not materially affect the sewer network and there is therefore no objection.
- The developer should liaise with the LLFA to agree an appropriate sustainable surface water strategy. As the application demonstrates that surface water will not be discharged to the public network then there is no objection.
- No objection with regard to foul water sewerage network infrastructure capacity.

#### 7.41. BBOWT: No comments received.

#### 7.42. CPRE: Concerns as follows:

- Concerned that this will conflict with the emerging vision from the Oxfordshire Plan 2050 for Oxfordshire to be an attractive place to live in, particularly given nearby residents' views.
- The development which includes provision for B8 and building over 11m high will result in overbearing massing and industrialisation inappropriate to residential areas.
- The proposal is at odds with Policy Bicester 1 which states use classes B1 with limited B2 and B8. Taking into account what has been built, this would not be limited. B1 employment should be sought here if the site is to be allocated for employment which would be more appropriate to a residential area in terms of amenity and scale. A broader range of uses would better fulfil the eco town aims and there is plenty of logistic employment already.
- Concerned that the A4095 strategic link road will not be ready until 2024. This is causing concern to local residents on a number of grounds. This is not adequately addressed in the Environmental Statement.
- The proposal does not achieve the required 10% biodiversity net gain. Concerns over the long-term maintenance programme to ensure the required gain. The calculator used is dated.
- Concern regarding other biodiversity species due to erosion of their habitat. Why have surveys not been provided in the ES? Policy ESD10 states that developments should provide surveys of the brown hairstreak butterfly but that is not provided.
- Further detail on the scheme to offset farmland birds should be provided. Otherwise, this is pushing the issue down the road. CDC is committed to nature recovery through its Community Nature Plan then the Council should seek further detail.
- There are a number of objection letters relating to flooding given recent flooding incidents locally. The response from the CDC Land Drainage Officer is noted relating to the obstructed culvert which may have caused flooding.
- Concerned that the development will be a net contributor to greenhouse gas emissions. This is concerning given the site is part of the eco town strategy whose main purpose is to reduce carbon emissions. CDC has set a target of carbon neutrality by 2030. This will require significant reductions in vehicle use. Logistics are already well provided for, and this may lead to staff travelling further to the site increasing car usage and emissions. The types of vehicles required will also increase emissions.
- The proposal is likely to fall short of being a carbon neutral development.
- This proposal will run counter to Policy Bicester 1 and be inappropriate adjoining local residences. CPRE are not opposed to development on the land but a rethink



on the development is required to minimise the impacts on residential amenity and the environment.

7.43. STAGECOACH: Support the proposal in their revised form.

- Stagecoach do not believe that the release of the site for employment uses would be prejudicial to the achievement of the Local Plan nor the SPD taking into account activity across the site. There also appears to be clear demand for the additional employment from the uptake of space across the town. This is a welcome rebalancing of the town that has historically been a residential satellite of Oxford. Rebalancing employment with large scale housing development is inherently sustainable, reducing the distances to travel and helping to make sustainable modes more attractive. This accords with the spatial strategy of the Local Plan and National Policy.
- Land within the redline will accommodate vehicular access to the proposals and will future proof and partly deliver a section of the strategic link road. A shadow right turn lane into the scheme at the south (the permanent arrangement) should be made.
- There should be the ability to future proof the route to the west (linking through to the Himley Village site) for a pair of bus stops to provide safe and convenient public transport access to the proposals in the future.

7.44. THAMES VALLEY POLICE DESIGN ADVISOR: No objection but comments are made to meet the requirements of the NPPF:

- The design and access statement does not adequately address crime and disorder.
- Comments are predominately related to building security.
- There are concerns that the fire escape routes are located in vulnerable, isolated areas lacking surveillance.

7.45. ELMSBROOK COMMUNITY ORGANISATION: Object because it will cause too much obstruction. Further comments to the amended scheme were as follows:

- The proposal should not deviate from the original plans for housing on the land. Additional warehouses would not provide sufficient employment per sqft and is not the correct type of employment for the current eco town demographic. Offices should be proposed if the land is to change from residential to commercial. This would be more suitable for an eco-development and would provide more employment opportunities.
- Air pollution levels in Bicester exceed the World Health Organisation guidelines.
- Warehouses are serviced by a high number of HGVs. This will add to air pollution which will have a severe impact on the health and wellbeing of residents.
- There are other warehouses proposed near to J10 of the M40 and close to the proposed Oxfordshire Strategic Rail Freight Interchange. On this basis there is no reason to support an application or more warehouses in this inappropriate location.

7.46. BICESTER BIKE USERS GROUP: There are some serious issues with the highway design for cyclists so BBUG Object for the following reasons (but the issues should be overcome relatively easily):

- The western side of the strategic road should be provided with segregated provision for pedestrians and cyclists link to the eastern side to comply with LTN1/20 and the Oxfordshire Cycle Design Standards. This should be continued into the estate to avoid unnecessary transitions.

- Priority crossings should be proposed on the minor road access pointed on the western side and to the estates on the current access road. Corner radii should be reduced to minimise vehicle speeds as well as the road distance that pedestrians need to cross. Provision of mid-point refuges might be advisable.
- There should be a disability compliant way for cyclists and pedestrians to cross the stub of Howes Lane until the wider road is completed. Dropped kerbs should be provided.
- Cycle bypasses should be provided to the rear of the location of any planned bus stops to avoid conflict.
- The crossing in the mid-point of Howes Lane shows a shared area to the east merging into a cycle only lane with no transitions. This will need to be redesigned, especially if active travel on the western side becomes segregated provision. A parallel crossing might be suitable bearing in mind the likely future traffic on Howes Lane.
- Ghost islands can reduce accessibility for users of the minor roads and post a greater road safety risk as well as taking up highway space so they should be considered for removal.
- Active travel routes to the site should be improved as per LTN1/20. Active travel access to the proposed development across the Middleton Stoney Road roundabout is poor as it has uncontrolled crossings over high speed, wide, crossings. This makes walking and cycling access limited. A contribution towards segregated parallel crossing should be provided.
- The level of cycle storage appears to be below that which would be required according to LTN1/20 and in the wrong locations. Storage should be immediately adjacent to the entrance to each unit to ensure greater protection for bicycles, especially more valuable e-bikes.

## **8. RELEVANT PLANNING POLICY AND GUIDANCE**

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

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

- PSD1: Presumption in Favour of Sustainable Development
- SLE1: Employment Development
- SLE4: Improved Transport and Connections
- BSC1: District wide housing distribution
- BSC2: Effective and efficient use of land
- BSC3: Affordable housing
- BSC4: Housing mix
- BSC7: Meeting education needs
- BSC8: Securing health and well being
- BSC9: Public services and utilities
- BSC10: Open space, sport and recreation provision
- BSC11: Local standards of provision – outdoor recreation
- BSC12: Indoor sport, recreation and community facilities

- ESD1: Mitigating and adapting to climate change
- ESD2: Energy Hierarchy and Allowable solutions
- ESD3: Sustainable construction
- ESD4: Decentralised Energy Systems
- ESD5: Renewable Energy
- ESD6: Sustainable flood risk management
- ESD7: Sustainable drainage systems
- ESD8: Water resources
- ESD10: Biodiversity and the natural environment
- ESD13: Local landscape protection and enhancement
- ESD15: Character of the built environment
- ESD17: Green Infrastructure
- Policy Bicester 1: North West Bicester Eco Town
- Policy Bicester 7: Open Space
- INF1: Infrastructure

#### CHERWELL LOCAL PLAN 1996 SAVED POLICIES (CLP 1996)

- TR10: Heavy Goods Vehicles
- C28: Layout, design and external appearance of new development
- C30: Design Control

#### 8.3. Other Material Planning Considerations

- National Planning Policy Framework (NPPF)
- Planning Practice Guidance (PPG)
- Eco Towns Supplement to PPS1
- North West Bicester SPD (February 2016)
- The Habitats and Species Regulations 2017

### 9. APPRAISAL

#### 9.1. The key issues for consideration in this case are:

- Environmental Statement
- Principle of development
- Transport
- Landscape and Visual Impacts
- Design, and Impact on the character of the area
- Residential amenity
- Ecology impact
- Drainage
- Eco Town Standards
- Other matters

#### Environmental Statement

9.2. The application is accompanied by an Environmental Statement. The aim of an Environmental Impact Assessment is to protect the environment by ensuring that a Local Planning Authority, when deciding whether to grant planning permission for a project, which is likely to have significant effects on the environment, does so in the full knowledge of the likely significant effects, and therefore can take this into account in the decision-making process.

9.3. The scope of the Environmental Statement (ES) accompanying this application predicts the environmental effects of construction activities and once the development is complete and operational. It covers the following topics: the construction process,

socio-economic impacts, transport, noise, biodiversity and climate change and greenhouse gas impacts. Landscape and visual impacts are assessed within an appendix to the ES. It also considers the effect interactions and cumulative impacts within each chapter. Officers are satisfied with the scope of the submitted ES. The ES considers the scheme as originally submitted (i.e., a larger scheme than now being considered). It has not been updated to reflect the amended scheme but, it is considered that the impacts of the scheme in its amended form continue to be adequately assessed. On this basis, it is considered that sufficient information is before the Local Planning Authority in order to consider the environmental effects of the development and any mitigation required to make the development acceptable in this case.

- 9.4. The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 requires that Local Authorities must examine the environmental information, reach a reasoned conclusion on the significant effects of the proposed development on the environment and integrate that conclusion into the decision as to whether to grant planning permission.
- 9.5. The PPG advises 'The Local Planning Authority should take into account the information in the Environmental Statement, the responses to consultation and any other relevant information when determining a planning application'. The information in the ES and the consultation responses received have been taken into account in considering this application and preparing this report.
- 9.6. The ES identifies mitigation and this, should the proposal be approved, would need to be secured through conditions and/or legal agreements. The following report assesses the submitted planning documents and the content of the Environmental Statement in order to reach a balanced and informed recommendation to Members.

#### Principle of Development

##### *Policy Context*

- 9.7. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan for the District comprises the adopted Cherwell Local Plan 2011-2031 (Part 1), the adopted Cherwell Local Plan 2011-2031 (Part 1) Partial Review – Oxford's Unmet Housing Need, the saved policies of the Cherwell Local Plan 1996 and a number of Neighbourhood Plans.
- 9.8. Policy SLE1 of the Cherwell Local Plan Part 1 (2011-2031) sets out that employment development on new sites allocated in the Plan will be the type of employment development specified within each site policy. The Plan has an urban focus to development, with allocated employment sites focussed predominantly at Banbury and Bicester.
- 9.9. The adopted Cherwell Local Plan 2011-2031 Part 1 includes strategic allocation Policy Bicester 1, which identifies land at NW Bicester for a new zero carbon mixed use development including 6,000 homes and a range of supporting infrastructure including employment land. The policy is comprehensive in its requirements and this, alongside the other relevant policies of the Development Plan are relevant to the consideration of this application. The application site forms part of the land allocated by Policy Bicester 1.
- 9.10. Policy Bicester 1 identifies that planning permission will only be granted for development at NW Bicester in accordance with a comprehensive masterplan for the whole area. A Masterplan has been produced for NW Bicester and this has been

embedded within the North West Bicester SPD, adopted in February 2016. The SPD amplifies the Local Plan policy and provides guidance on the interpretation of the Eco Towns PPS and standards for the NW Bicester site.

9.11. Policy Bicester 1 sets out various requirements for the site and for employment, it requires as follows:

- Land Area – a minimum of 10 ha, comprising business premises focused at Howes Lane and Middleton Stoney Road, employment space in the local centre hubs and as part of mixed used development;
- Jobs created –At least 3,000 jobs (approximately 1,000 jobs on B use class land on the site) within the plan period;
- Use classes – B1, with limited B2 and B8 uses;
- It is anticipated that the business park at the Southeast corner of the allocation will generate between 700 and 1,000 jobs in use classes B1, B2 and B8 early in the Plan period;
- A Carbon Management Plan shall be produced to support all applications for employment developments;
- An economic strategy to be produced to support the planning applications for eco-town proposals demonstrating how access to work will be achieved and to deliver a minimum of one employment opportunity per new dwelling that is easily reached by walking, cycling and/or public transport;
- Mixed use local centre hubs to include employment (B1(a), A1, A2, A3, A4, A5, C1, D1 and D2);
- New non-residential buildings will be BREEAM Very Good with the capability of achieving BREEAM Excellent.

9.12. The NW Bicester Masterplan incorporated within the SPD identifies the land that is now Axis J9 for commercial/ business development uses and the land to the north (subject to this application) and east for residential/ green infrastructure uses. The SPD includes Development Principle 4, which identifies that employment opportunities play a part in ensuring that unsustainable commuter trips are kept to a minimum and that larger scale commercial development on the land shown would provide business space for offices, workshops, factories and warehousing for target sectors including high value logistics, manufacturing and low carbon companies.

9.13. As described by the planning history above, the land to the north and east benefits from outline planning permission for residential development for up to 150 dwellings. The implemented outline permission would require a reserved matters application to be made for the land by 19 December 2022, otherwise the outline permission for the land will lapse. In addition, there is a Grampian condition imposed on the outline permission which means that no residential development and no more than a specified floorspace limit of E(g)(iii) or B2 uses could be occupied until the work to realign Howes Lane and Lords Lane has been completed and the road opened to vehicular traffic.

9.14. The NPPF identifies that significant weight should be placed on the need to support economic growth and productivity. Planning policies and decisions should also help create the conditions in which businesses can invest, expand and adapt. Paragraph 82 sets out 4 criteria that planning policies should:

- a) set out a clear economic vision and strategy which positively and proactively encourages sustainable economic growth, having regard to Local Industrial Strategies and other local policies for economic development and regeneration;

- b) set criteria, or identify strategic sites, for local and inward investment to match the strategy and to meet anticipated needs over the plan period;
- c) seek to address potential barriers to investment, such as inadequate infrastructure, services or housing, or a poor environment; and
- d) be flexible enough to accommodate needs not anticipated in the plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

9.15. The applicant refers to Paragraph 122 of the NPPF, which refers to the need for planning policies and decisions needing to reflect changes in the demand for land. It goes on to state that where a Local Planning Authority considers there to be no reasonable prospect of an application coming forward for the use allocated in a plan, that *b) in the interim, prior to updating the plan, applications for alternative uses on the land should be supported, where the proposed use would contribute to meeting an unmet need for development in the area.*

#### *Assessment*

- 9.16. Policy Bicester 1 allows for employment development as part of the mixed-use site area and in line with the Masterplan for the site. The existing J9 site area extends to approximately 14ha, which exceeds the minimum land area referred to by Policy Bicester 1 for the site in the southeast corner (Howes Lane/ Middleton Stoney Road). The Policy also anticipates commercial uses in the local centre hubs and as part of mixed-use development.
- 9.17. As well as the Policy not necessarily anticipating further commercial development in this area, the Masterplan identifies the land use in this area for residential/ green infrastructure uses. In this respect, the proposal changes the Masterplan and proposes an alternative form of development on the land. There are two main issues to consider in this respect. Firstly, the loss of the land for residential uses and secondly, whether proposals for additional commercial development can be justified and how these might comply, or otherwise, with planning policy.

#### Loss of land for residential purposes

- 9.18. The land subject to this application, as summarised above was originally identified for residential uses and the site benefits from an extant outline permission for residential development currently. With respect to residential uses, the NPPF sets out that the Government's objective is to significantly boost the supply of homes and it requires that housing delivery is maintained and delivered. This is partly by requiring that Local Planning Authorities maintain a minimum of five years' worth of deliverable housing land provided against their housing requirements. The Council's most recent annual monitoring report demonstrates that the Authority can currently demonstrate only a 3.5-year housing land supply for the period 2022-2027 (commencing 1 April 2022).
- 9.19. The loss of land for 150 dwellings would not assist the Council in improving its housing land supply position. However, it is relevant to note that these 150 dwellings are not shown as being deliverable within the current five-year period in any event due to current restrictions on their occupation prior to the required strategic infrastructure at NW Bicester (which as explained below is uncertain). Retaining the land for residential uses would not therefore improve the current five-year land supply situation and in any event, there is no guarantee that the site would ever be brought forward by a developer for residential uses. In addition, outline permission for residential uses is due to expire later in 2022 and if a new application were not made, the land would sit dormant. Nevertheless, the proposal to introduce commercial uses to this land would change the Masterplan and therefore it is necessary to consider the applicant's alternative proposals carefully.

9.20. It is also relevant to note that elsewhere across the site planning applications have been made for higher residential numbers than previously anticipated. Whilst Officers are not in a position to make recommendations on those yet, therefore there is no certainty that higher numbers will or will not be provided across the site, Officers are reasonably confident that it may well be possible to make up 150 dwellings elsewhere (by for example increased density) such that overall, the ability to meet the number of dwellings across the site allocated by Policy Bicester 1 could still be achieved.

#### Use of the land for commercial purposes

9.21. Policy Bicester 1 in respect of employment uses identifies a minimum of 10ha of land at the southeast corner of the site. Increasing the quantum of land for employment uses in this area would not therefore be in conflict with this element of the Policy. Indeed Policy Bicester 1 seeks to achieve at least 3,000 jobs within the Plan period (the Policy anticipates the delivery of 3,293 of the 6000 homes to be delivered within the Plan period) as well as proposals to demonstrate how access to work will be achieved to deliver a minimum of one employment opportunity per new dwelling that is easily reached by walking, cycling or public transport. This is to support the ambitions of the site in being a sustainable new community with various targets to achieve this including to achieve high modal shift targets to reduce private car use.

9.22. Whilst it is likely that additional employment opportunities would arise across the rest of the site in smaller employment areas and local centres, the principle of employment development increasing job opportunities would assist in the site as a whole meeting sustainability standards for employment opportunities and access to them.

9.23. The applicant has developed out phases 1 and 2 of Axis J9 and has advised that all units are fully let and that there is strong and evidenced market need for additional flexible employment floorspace in this location. They have also noted other developments around Bicester which have similarly been successful in attracting occupiers. Their market advice is that demand is such that further development would likely result in a similarly quick response rate from national and international companies in the manufacturing and logistics sector, with pre-lets likely prior to construction completing.

9.24. Phases 1 and 2 have attracted a mix of local, national and international businesses in a diverse range of uses including traditional storage, light industrial and specialist technology-based manufacturing. Local businesses such as React Industrial Solutions and Pursuit Racing have a presence at the site as well as new occupiers to Bicester such as Arrival and Origin Doors. It is also noted that the high environmental targets at the site make the units attractive to modern businesses.

9.25. The applicant's Market advice is that the size of the proposed units (those retained in the application – the mid-sized units of 1,783sqm to 4,756sqm) are in particularly low supply in Bicester and across the Cherwell region and therefore would likely appeal to regional and national companies in the logistic and manufacturing sectors.

9.26. The demand for additional employment development is a material consideration. The applicant, in support of their position has provided a letter of support from Brita Water Filter Systems Ltd who confirm that they have agreed letting terms for proposed Unit 4, which they require to support their expansion plans in Bicester (this would be in addition to their existing UK HQ premises on Granville Way). They require this building to be ready for operations in mid-2023 and intend that the building would enable new production lines to be established, potentially resulting in a substantial increase in employee numbers.

- 9.27. The Council's Annual Monitoring Report demonstrates that there has been a considerable gain in employment floorspace over the past two years with that delivered at Bicester being mostly in use classes B1/B2 and B8 (B1 uses now fall within use Class E(g) (i-iii)) indicating that there is demand for such floorspace. The Council's Economic Development Officer has confirmed that the applicant's submission confirms their understanding of the level of recent and on-going demand for commercial premises
- 9.28. The proposed land uses also require further consideration. Fully flexible uses are proposed within use classes E (g)(iii), B2 and B8 with all of the units in the amended scheme benefiting from a small amount of supporting office (E(g)(iii)) space on a mezzanine at first floor level. The units are of varying sizes being suitable for general and light industrial, manufacturing, processing and/ or storage/ distribution uses but they are generally smaller units than units 1-7 on Phase 1 and 2.
- 9.29. The applicant indicates that the current proposal could accommodate around 255-720 jobs although given that there is likely to be a range of occupiers, that the most likely number of jobs would be within the 300-400 number range. The proposed numbers would likely be slightly less than this now given that the smaller units are no longer part of the scheme and the uses most likely within such smaller units (i.e., B2 rather than B8) tend to have greater job densities. The exact number of jobs the scheme could generate cannot be provided at this stage. However, the proposal would generate jobs within a range of job types, and this would contribute to the Policy requirements in this respect beyond those from Phases 1 and 2. This is assessed as a moderate beneficial effect at the local scale in the Socio-economic chapter of the ES.

#### *Conclusion*

- 9.30. Policy ESD1 confirms that in mitigating the impact of development within the District on climate change, that growth will be distributed to the most sustainable locations as defined by the Local Plan. Bicester is one such location. Land at NW Bicester is allocated by Policy Bicester 1 for a mixed use zero carbon development with employment uses allowed for, partly to enable job opportunities to be provided within proximity to new residential uses and therefore be easily reached by sustainable modes.
- 9.31. Policy Bicester 1 refers to a minimum of 10ha of employment land focussed at Howes Lane and Middleton Stoney Road. The existing employment site exceeds this, and the current proposal would provide for further employment land. The land proposed for the development is identified as for residential and green infrastructure uses. Whilst the SPD is not Policy and its aim is to provide further detail to the policy and a means of implementing the strategic allocation, Policy Bicester 1 does refer to the need for planning permission to be granted only in accordance with a comprehensive Masterplan for the whole area to be approved by the Council as part of a NW Bicester SPD. In addition, the land uses proposed would include just small areas of Class E(g)(i) (office space) with the uses proposed as a flexible mix of uses between classes E(g)(iii), B2 and B8. For these reasons there is some conflict with Policy Bicester 1.
- 9.32. However, the proposal for additional commercial development would result in the provision of additional job opportunities within a sustainable location close to areas of the site allocated for residential uses and this would therefore support the aims of the Eco Town. In addition, the use classes proposed would be complementary to the uses allowed on Phases 1 and 2 to the south and the size of the units being generally smaller would provide for an additional type of space.
- 9.33. The applicant's submission demonstrates that there has been excellent take up of the units on the first phases and that demand continues for this type of employment space



and in this location. Their advice considers that pre-lets are likely given the demand. This position is confirmed as being the understanding of the Council's Economic Development Team. The NPPF confirms that planning policies should be flexible enough to accommodate needs not anticipated in the Plan, allow for new and flexible working practices (such as live-work accommodation), and to enable a rapid response to changes in economic circumstances.

- 9.34. It is acknowledged that the proposal would result in the loss of land for residential uses. Officers are not convinced that it could defend a reason for refusal which sought to protect the residential land in principle. This is because the number of residential dwellings allowed for on this site is relatively modest and there is a reasonable prospect that those numbers could be accommodated elsewhere across the wider allocated site. In addition, whilst the site currently benefits from outline permission for residential uses, this does not preclude the developer applying for an alternative proposal which must be considered on its merits.
- 9.35. As considered above, whilst the proposal for employment uses would create some conflict with Planning Policy, it would also bring some benefits that must be given weight in the planning balance. Officers therefore consider that it may be possible to conclude that the scheme is acceptable in principle subject to the consideration of all other matters.

## Transport

### *Policy Context*

- 9.36. The NPPF confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety or the residual cumulative impacts on the road network would be severe. Development proposals should promote sustainable transport, ensure safe and suitable access can be achieved and mitigate any significant impacts to an acceptable degree.
- 9.37. Policy SLE4 of the Cherwell Local Plan Part 1 2011-2031 also requires development to facilitate the use of sustainable transport and confirms that new development must mitigate offsite transport impacts. At NW Bicester, and as confirmed by Policy Bicester 1 and the NW Bicester SPD through a series of development principles, the achievement of modal shift, infrastructure to support sustainable transport and for development to facilitate the provision of new strategic infrastructure (including contributions towards it) are clear requirements.

### *Appraisal*

- 9.38. Policy Bicester 1 identifies that changes and improvements to Howes Lane and Lords Lane are required to facilitate the integration of new development with the town. The NW Bicester SPD identifies a re-aligned route for the A4095 further to the west from its current alignment. The SPD explains that this proposal would provide for a strategic route, allow for improved walking and cycling opportunities, be designed into the development and, alongside a new vehicular bridge (already installed) would result in a solution to the heavily constrained Howes Lane/ Bucknell Road/ Lords Lane junction.
- 9.39. Oxfordshire County Council have historically and consistently advised the District Council that the Howes Lane/ Bucknell Road/ Lords Lane junction does not have capacity for development at NW Bicester past a certain level of development until the realignment to the A4095 is completed and opened to vehicular traffic. In 2014 the performance of the existing junction was modelled, and this predicted a level of trips that could be accommodated in advance of the strategic infrastructure being provided

(which was used to work out development thresholds – 900 dwellings (including 393 at the Exemplar phase) and proportionate employment).

- 9.40. Until the end of 2021, Officers had relied upon this work as a reasonable indication of transport impact because there was a level of certainty that the realigned Howes Lane would be provided within a reasonable timescale. This was based upon the fact that when A2 Dominion advised the Councils that they were no longer able to progress the strategic infrastructure project, Oxfordshire County Council stepped in. This resulted in the delivery of two structures under the railway line (a pedestrian underpass and a road bridge) utilising forward funding and, following the delivery of these features, continuing work to progress the design of the road infrastructure with the intention to deliver the project using Oxfordshire Growth Funding. In the circumstances, Officers have therefore recommended Grampian planning conditions to restrict development beyond certain defined points until the road is provided and opened to vehicular traffic. The Planning Practice Guidance provides guidance on the use of Grampian planning conditions. It advises that such conditions (which prohibit development or a certain trigger point of a development happening (i.e., occupation) until a specified action has been completed (i.e., the provision of supporting infrastructure) should not be used where there are no prospects at all of the action in question being performed within the time limit imposed by the permission.
- 9.41. At the end of 2021, recommendations were made to the Future Oxfordshire Partnership to re-allocate the Oxfordshire Growth Deal funding from this project to elsewhere in Oxfordshire due to concerns around the level and timing of housing delivery and the required timescales to spend the funding. The OCC Cabinet endorsed the recommendation, and the funding has been re-allocated.
- 9.42. In this situation, where there is now no certainty of the delivery of the strategic infrastructure, OCC have advised in relation to this application that the original work from 2014 to establish potential capacity in advance of the strategic infrastructure cannot be relied upon given it is over six years old and was based upon a traffic model that did not include development at Upper Heyford. It also means that it would not be reasonable to impose a Grampian condition in the current circumstances.
- 9.43. The original outline permission which has been implemented for the Albion Land site (14/01675/OUT) includes a Grampian planning condition which (in its amended form, having been agreed via an application made under S73 of the Town and Country Planning Act 1990 (as amended)), allows for all of the commercial development to be occupied (but with restrictions relating to floorspaces used for certain use classes) but it restricts the occupation of any of the approved residential development until the realignment of the A4095 has been completed and opened to vehicular traffic. As explained earlier, the land benefiting from outline permission for residential uses is the land subject to this application (partly in its amended form).
- 9.44. The applicant's original submission (relating to the whole site, prior to the site plan being amended) included a transport assessment (TA) which, assessed the impact of the development for the future year 2031, using a 2018 scenario of the Bicester Transport Model. The scenario included most committed development including that at Upper Heyford and assumed that the re-aligned strategic infrastructure would be in place. The impact was then used against the 2014 work which, as explained above, established a potential capacity in advance of the road infrastructure to conclude that, in summary, the development could be completed and occupied prior to the opening of the strategic infrastructure, as it could utilise available highway capacity due to other developments across NW Bicester not having come forward.
- 9.45. As well as the fact that there is no certainty over the realigned strategic infrastructure, OCC objected to the proposal on the grounds that there would be severe congestion

at the junction of Howes Lane/ Bucknell Road/ Lords Lane. They also raised some other concerns with the 2031 assessment including that traffic from the approved Great Wolf resort at Chesterton was not included. There was acknowledgement that the proposal would generate less traffic than the permitted residential development but there would be a higher proportion of HGVs. It was also acknowledged that if the proposals were accepted in advance of the road infrastructure, that this would reduce the number of dwellings that could be occupied across the site which would need to be considered in the context of live planning applications for dwellings (albeit as above, the position has now changed in any event).

- 9.46. Initially, the applicant put forward a proposal for a restriction of a certain level of floorspace to be used for B8 warehousing only until the opening of the realigned road. In effect, this would have restricted those units on the western parcel to B8 use only until the road infrastructure were provided. This would have resulted in a much lower number of trips as trip rates associated with B8 uses are much lower than other industrial uses. OCC had a number of queries with the submitted information and the way the impact had been assessed.
- 9.47. Consequently, and responding to Officer comments regarding the design of the development, a further technical addendum was submitted. This used a newer version of the Bicester Transport Model with the removal of the SLR and including only committed development across NW Bicester (in accordance with the AMR, 500 dwellings). This modelled a fully flexible (Use Classes E(g)(iii), B2 or B8) development. This identifies just 4 additional trips in the AM peak and 4 trips in the PM peak through the Bucknell Road/ Howes Lane junction. OCC have verified the detailed submission and agreed that this level of additional trips through the junction would not be severe, and their objection has been removed. They confirm that a Grampian condition would not therefore be required (but as explained above, this would not be possible to impose in any event now).
- 9.48. The application acknowledges that there would be a requirement for HGV site traffic to be routed to the south to avoid the existing Howes Lane/ Bucknell Road/ Lords Lane junction prior to the strategic link road being opened in this respect.
- 9.49. The access proposals for the site are to take vehicular access from the Middleton Stoney Road and Empire Road with part of the strategic link road (re-aligned Howes Lane) (SLR) itself proposed with right turn lanes included. This arrangement is stated to be a temporary arrangement until the route for the strategic road (in its currently approved form) is provided. Once the strategic road is realigned, Empire Road would become a cul-de-sac with access to the current proposed units (and the small units existing on Phase 1) to be taken from the realigned Howes Lane. The proposals would not prejudice the delivery of the rest of the strategic road in its approved form in this area. The land required to the south and west is protected by licence arrangements through the original permissions for the site and OCC have requested that via the S106 for this site, that those arrangements continue to be secured.
- 9.50. The design of the SLR element was subject to discussion with OCC Officers to ensure consistency with the SLR design that was previously being progressed by OCC. Through the application process, OCC have confirmed that the carriageway width and the layout, with right turning lanes would be suitable for the nature of the road. Amendments were also made to the pedestrian/ cycle provision on the west side of the SLR through the application process to provide for a segregated 3m cycleway and 2m footway taking into account guidance in LTN1/20 (the cycleway to the eastern side has also been proposed at 3m wide now).
- 9.51. OCC also raised some detailed points regarding the design of the road infrastructure in terms of pedestrians and cyclists. In most cases these have been resolved,

however a refuge at the western access has not been requested further as it was acknowledged that this could not be accommodated without widening the bellmouth significantly which was not considered to be desirable.

- 9.52. Following the receipt of amended information, OCC have now confirmed that the proposals for access and the design of the section of the SLR is acceptable.
- 9.53. The site is arranged with service yards and parking provided to the front of the proposed buildings. HGV tracking has been undertaken for these and also for the permanent and interim access arrangements. OCC have not raised an objection in this respect.
- 9.54. The TA explains that the site would be linked to the wider network via proposed walking and cycling routes some of which exist following the implementation of the Axis J9 scheme. OCC initially raised concern with the proposals for accessibility, particularly pedestrian and cycle accessibility to the residential area to the west. OCC sought the provision of a crossing of Howes Lane, and this was sought to connect through to the public footpath linking through to Wansbeck Drive which was part of the proposals secured via the residential permission for the site. This has been subsequently proposed via the provision of a signalised toucan crossing of Howes Lane and, following some amendments, has been concluded to be acceptable by OCC. It is understood that detailed matters such as required lighting could be dealt with at the technical highway approval stage.
- 9.55. In the interim period, bus accessibility would be via the Middleton Stoney Road or accessing across Howes Lane to the residential area of Bicester (now that a crossing is proposed). If the strategic link road is built on its approved link, then bus services would be available from that road. OCC raised some comments regarding the position of bus stops to ensure they are taken account of in the design (for example cycle bypasses would be required for the shelter in accordance with LTN1/20). OCC have accepted that the bus stops are likely to be positioned further west rather than there being a need for bus stops on this section of the strategic link road.
- 9.56. Parking provision is provided for each of the proposed commercial units. Whilst OCC initially raised some concern over the levels proposed and the positioning of cycle parking as part of the scheme, through the amended scheme, the proposals have been, latterly, concluded to be acceptable. 10% of parking spaces are proposed to be provided with electric vehicle charging with provisions made to increase this to 25%. OCC state that 25% of spaces should have EV charging facilities so there would need to be a condition to provide this by an agreed date.
- 9.57. A Framework Travel Plan accompanies the application which aims to encourage employees to travel to and from the site via sustainable modes and which aims to therefore support the site meeting the modal shift target of 60% of trips made by non-car modes in the longer term. OCC have made a couple of minor comments regarding the plan including that the mode share targets are not ambitious and that contact details for the interim travel plan co-ordinator are required. It is also set out that Units 4 and 5 would require their own travel plan in line with the framework travel plan. A condition is recommended.
- 9.58. S106 obligations are requested for various mitigation measures, most of which replicate matters secured via the residential permission for the site. These are detailed further and explained in Appendix 1.
- 9.59. The Environmental Statement, using the original TA as summarised above, concludes that during the construction stage, a Construction Traffic Management Plan (sought via condition) would be appropriate mitigation for potential construction traffic impacts

and the impacts then would be modest and negligible. For the operational stage, the ES concludes that the access arrangements would be appropriate, that there would be no need for mitigation in traffic impacts terms and that the development access junctions would operate satisfactorily and would cause no significant effects. Minor beneficial effects are predicted for pedestrians and cyclists due to the facilities proposed.

### *Conclusion*

- 9.60. It is appropriate to note that this proposal does seek to bring forward development in advance of the provision and opening of the strategic infrastructure. However, due to the withdrawal of funding away from that scheme and therefore the limited certainty as to how that will be delivered, the approach to considering the transport impacts at NW Bicester must be considered afresh. At the moment, it would not be appropriate to impose Grampian conditions to restrict development until that infrastructure is delivered and therefore a decision as to whether the impact of the development would be severe in impact terms (as defined by paragraph 111 of the NPPF) must be taken. On the basis that the proposals, as demonstrated through the submitted information and which has been assessed as being acceptable by OCC, would result in 4 trips through the Howes Lane/ Bucknell Road/ Lords Land junction, Officers would agree that this could not result in a conclusion that there would be a severe transport impact.
- 9.61. The other elements of the proposal have been considered in detail including the main access arrangements, the cycling and walking infrastructure proposals and the access to public transport. OCC have raised no objection to the scheme and Officers agree that these measures would contribute towards the site moving towards a modal shift for transport in accordance with the requirements for Policy Bicester 1. Planning conditions and obligations can be used to secure the requirements to mitigate the impact of the development as part of the Masterplan for the site and to secure any required mitigation as set out through the Environmental Statement.

### Landscape and Visual impacts

#### *Policy Context*

- 9.62. Policy ESD13 of the CLP 2031 Part 1 relates to Local Landscape Protection and Enhancement. It requires development to respect and enhance local landscape character and not to cause visual intrusion into the open countryside or to cause harm to important landscape features and topography.
- 9.63. Policy Bicester 10 of the CLP 2031 Part 1 sets out the requirement for development proposals to be accompanied and influenced by landscape/ visual and heritage impact assessments and it requires structural planting and landscape proposals within the site to include retention of existing trees and hedgerows and to limit the visual impact of new buildings and car parking on the existing character of the site and its surroundings.
- 9.64. Policy Bicester 1 refers to the need for 40% of the total gross site area to comprise Green Infrastructure with at least half to be publicly accessible which is to form a network of well-managed, high-quality green/ open spaces which are linked to the open countryside. As part of the key site-specific design and place shaping principles for the site, the requirement for development to respect landscape setting and to allow for a well designed approach to the urban edge which relates development at the periphery to its rural setting, affords good access to the countryside and which minimises the impact of development when viewed from the surrounding countryside.
- 9.65. The NW Bicester SPD refers to Green Infrastructure and Landscape and sets out again the requirement for 40% Green Infrastructure and gives guidance on tree

planting, development edges and hedgerow and stream corridors (the latter requiring a 20m buffer to retained and reinforced hedgerows – 10m either side).

- 9.66. The National Planning Policy Framework, as part of encouraging good design, identifies that development should be sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change.

#### *Assessment*

- 9.67. The application is accompanied by a Landscape and Visual Assessment as part of the Environmental Statement. This considers the landscape context of the site and how it responds to identified characteristics with reference to its classification within landscape types in National and Local landscape work. The LVIA explains that mitigation for the site has been embedded within the design of the development including the proposed height and location relative to hedgerows, with the proposals for landscaping of the site including the provision of mounds to raise the planting and increase its effectiveness. The landscaping aims to screen, filter and soften views of the development. The Council's Landscape Officer has confirmed that the LVIA is generally acceptable.
- 9.68. The LVIA acknowledges that during the construction phase, the impact on landscape character and visual amenity is likely to be major adverse albeit temporary in nature and mitigation measures (to be outlined within the CEMP) would reduce the impacts. The ES concludes that for the completed development, the site itself would experience substantial landscape effects, albeit it is noted that this is likely from most types of development and the site is allocated for development in principle. For other receptors, the landscape effects would be moderate/ minor adverse, but mitigation is proposed in the form of landscaping. The report finds that with existing development and significant vegetation, that the visual effects of the development would be generally negligible, but it is acknowledged that there would be greater impacts (moderate major adverse impacts) to local residential properties and to the west of Bicester and users of the local rights of way in terms of visual impact. The assessment also concludes that there are likely to be moderate adverse impacts on landscape character and visual amenity due to lighting taking into account mitigation in the form of limiting lighting to where it is necessary, the use of appropriate shrouds, angled fittings and low energy light fittings and the use of planting. Overall, it is concluded that the proposals can be integrated without substantial harm to the character of the landscape and visual context and that effective mitigation can be implemented to reduce effects.
- 9.69. It is notable that the LVIA has not been updated to reflect the amended scheme, although as it relates only to development on the land to the west of SLR alignment, it is considered likely that the impacts would be lessened in terms of receptors to the west of Bicester compared to the conclusions of the LVIA.
- 9.70. A Green Infrastructure Plan accompanies the planning application, and this demonstrates that 44.86% of the site can be delivered as Green Infrastructure. This includes the verges, footways and cycleways and part of the SLR road (which, following this being queried by Officers is explained as that this would effectively be replaced by the existing Howes Lane once the SLR is open and Howes Lane is closed, which seems a reasonable compromise). The Green Infrastructure also includes the areas for landscaping (and bunds) as well as SuDS.
- 9.71. The NW Bicester SPD requires 10m buffers either side of retained hedgerows. The Masterplan uses the existing field boundaries to give the layout of the proposed development structure, and this also recognises their landscape importance and contribution to biodiversity and habitat. The buffers therefore protect these features

and gives space for them to be reinforced and enriched. The development allows for these buffers to existing vegetation to the west and north albeit which the edges of the buildings are further than 10m, bunds and service areas are included. Landscaping is also proposed in these areas.

- 9.72. The Landscape Officer has raised some comments regarding the landscape scheme (assessed below) but as reported above, considered the conclusions of the LVIA to be acceptable. A comment was made regarding the space allowed for at the north of the site and the ability to accommodate sufficient landscaping here. The agent has pointed out that the proposal complies with the previous parameter plan relating to the residential scheme and it allows for the 10m albeit the scale of the development and the built form would be different to a residential proposal. Nevertheless, the Masterplan shows a road and non-residential uses to the north of this site and therefore Officers conclude that sufficient space is allowed for to include landscaping that would soften the scheme until adjacent development is provided for in the future.

#### *Conclusion*

- 9.73. On the basis of the above, Officers are content that the proposal would be acceptable from a landscape and visual point of view. The proposals have been designed with mitigation inherent to reduce the impact of the proposals and with a scheme of landscaping, the proposals will be mitigated in an appropriate way. The buildings would be large and have a commercial appearance and this is acknowledged, but taking into account their context, adjacent to existing commercial uses and within an area likely to see significant change given an allocation for a large mixed-use scheme, the proposal is considered to be acceptable in landscape and visual terms and therefore to comply with the above mentioned policies.

#### Design and Impact on the Character of the Area

##### *Policy Context*

- 9.74. Policy ESD15 of the Cherwell Local Plan Part 1 2011-2031 sets out that development will be required to meet high design standards and to complement and enhance the character of its context. It has a number of criteria which are used to assess development proposals. Policy Bicester 1 includes a number of key site-specific design and place-shaping principles which, amongst others requires a high-quality exemplary development and design standards, a well-designed approach to the urban edge which relates development to its rural setting and to respect its landscape setting whilst incorporating open space (40% of the site) and landscaping. It also states that there is a need for careful design of the employment units to limit adverse visual impact and ensure compatibility with surrounding development.
- 9.75. The NPPF emphasises that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities. The importance of design has been heightened and there is a fundamental role to the planning process in creating high quality, beautiful and sustainable buildings and places.
- 9.76. The NW Bicester SPD includes various development principles, but it also emphasises that sustainability should be a key driver in the design of the eco-town and that proposed development should create a unique image for the eco-town. For the commercial uses at Middleton Stoney Road/ Howes Lane, the SPD confirms that buildings will be in a high-quality landscape setting with high quality offices providing research and development facilities. The height of development in this area of the site is also considered with the need for heights to be carefully considered to recognise the prominence of the location and which should relate to the residential neighbourhood nearby.

## *Assessment*

- 9.77. The design approach generally follows the agreed approach for phases 1 and 2 which helps to create a cohesive scheme. The materials palette which is described as assisting in reducing mass is also consistent with Phases 1 and 2. The buildings are designed to include a simple colour palette as well as some features to create interest such as the rainscreen cladding and project fin 'brise soleil' features which is used on key elevations on Phases 1 and 2. The office elements of the buildings would also be heavily glazed with good natural lighting and natural lighting is also provided to the large workspaces by rooflights. Some minor amendments were made through the application processing to the design of the buildings to increase interest and improve the design of the buildings.
- 9.78. The layout of the development is such that the sides of the units and parking areas are proposed to be positioned adjacent to the strategic road. This follows the layout of Phase 1 to the south albeit would sit closer to the SLR and is less well buffered by landscaping and drainage features. The service yards are set back from the SLR though as car parking is provided which would be less visually inappropriate in the view of Officers. The side of the buildings adjacent to the SLR includes the projecting fin features and the office spaces to generally give activation and interest along this elevation.
- 9.79. The submission explains that the design approach has been to create a legible development that is easily accessible by all modes of transport to the site. The access arrangements are covered elsewhere within this report. The position of SuDS ponds (subject to agreement of the drainage scheme) are located adjacent to the strategic road and this would contribute to the landscape setting of the scheme providing they are appropriately landscaped. The external finishes of the site and materials proposed also generally follow the approved palette for Phases 1 and 2.
- 9.80. Refuse storage is proposed to serve each unit and are positioned within the service yards for each commercial unit. This means they are not prominent within the street scene, especially when viewed from the public domain and in the future. Cycle storage is also proposed for each unit, and these are positioned within the car parking areas and close to the entrance of each building. The cycle shelters are proposed to accommodate high rise stands and cycle hoops with a curved and angled roof arrangement.
- 9.81. PV panels are proposed to be provided on the buildings on the southern elevation of the building (as shown on the roof plan for each building). This is acceptable and their visual presence would be a suitable feature on an eco-town whereby they are relied upon as part of the strategy to achieve true zero carbon. Air Source Heat Pumps are also proposed but these are not demonstrated on the plans with regard to the position or their appearance. Further details can be sought via condition prior to their provision.
- 9.82. Fencing is not shown as being required on the site other than the provision of a 2.5m high acoustic fence to the western side (as required by the noise assessment). Officers anticipate that some form of boundary treatment may be required to secure the service yards and between the yards. A condition is proposed to secure the position of the fencing.
- 9.83. A scheme of landscaping is provided. The Council's Landscape Officer has raised some continuing comments on the landscape scheme. On this basis a condition is recommended to secure an amended landscape scheme with a soft landscape implementation scheme also required. The plan would also need to be labelled to show which plant species are proposed where.



- 9.84. A Landscape Management Plan has been submitted, however there are some outstanding comments made by the Council's Landscape Officer (including the time period for which the Plan lasts for and the need for the latest landscape plan to be appended to it) and therefore a condition is recommended to secure a further Landscape Management Plan.
- 9.85. The Thames Valley Police Design Advisor has raised some comments regarding building security and measures that would be needed for security. It is proposed to include a planning note to draw the applicant's attention to this response to ensure that these detailed matters, some of which are not necessarily a level of detail that the Planning Authority would require (i.e., the type of roof lights, visitor entry systems, roller shutters) can be considered. The point around securing the fire escape routes could be covered by the proposed condition relating to boundary treatments should that be determined as being necessary.

#### *Conclusion*

- 9.86. The proposed development is considered acceptable from a design point of view and therefore its impact upon the character of the area. The scheme follows the design approach of Phases 1 and 2 and therefore would be an appropriate addition in the context of this scheme. In this respect, the proposal is considered to comply with the above-mentioned policies.

#### Residential Amenity

- 9.87. One of the key site-specific design and place shaping principles, as set out by Policy Bicester 1 of the CLP 2031 Part 1, is for proposals to comply with Policy ESD15. Policy ESD15 requires that new development proposals should consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space. The NPPF also requires that planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users.
- 9.88. In its amended form, the proposed buildings are some way from the closest residential properties which back onto Howes Lane. At its closest point, there is a distance of over 115m from the side of any of the proposed buildings to the edge of Howes Lane on its eastern side (with gardens and then dwellings beyond). Given this distance and the approved parameter plan for this area allowed for heights of up to 16m alongside the strategic road and on the north of the parcel (although height was approved as being no higher than 12m west of this), it is considered that the proposal would have limited impacts upon the residential amenity of existing residential properties to the east. To the north of the site, the Masterplan indicates non-residential uses including education provision as well as community/ retail uses and so the opportunity for unacceptable impacts upon residential amenity is minimal.
- 9.89. Other elements of the scheme including the provision of a section of the strategic infrastructure and pedestrian/ cycle crossing of Howes Lane which is closer to the existing residential properties are also unlikely to cause undue harm to amenity. Impacts upon amenity via environmental considerations such as noise are considered elsewhere within this report.
- 9.90. On the basis of the above, Officers are satisfied that the impact upon the residential amenity of nearby properties is acceptable and Policy ESD15 is complied with in this respect.

## Ecology Impact

### *Policy Context*

- 9.91. Policy ESD10 of the CLP Part 1 2031 requires the protection and enhancement of biodiversity and the natural environment and this includes the protection of trees and hedgerows, an assessment of the potential to cause harm to protected species or habitats and to achieve a net gain for biodiversity. Policy Bicester 1 also refers to the need to achieve a net gain for biodiversity. Biodiversity is also a development principle important in meeting the eco town standards to achieve a net gain and to mitigate and enhance.
- 9.92. There are also Legislative requirements set out in The Conservation of Habitats and Species Regulations 2017 which must be taken into account in considering development proposals where habitats or species might be encountered.

### *Assessment*

- 9.93. The Environmental Statement includes a chapter (and associated appendices) on Biodiversity, which considers the surveys and other background work and updates this where appropriate. It concludes that providing mitigation measures in the form of a Construction Environment Management Plan (CEMP) (setting out specific measures for specific species) and a Landscape Ecology Management Plan (LEMP) is put in place as well as tree and hedgerow protection measures, that any impacts during the construction phase can be considered negligible and not significant. For the completed development stage, there are no significant effects predicted given the provision of Green Infrastructure and habitat creation, the provision of hedgerow buffers and its enhancement and management via the LEMP as well as a sensitive lighting scheme and other biodiversity enhancement measures such as bat bricks and boxes and bird nesting boxes. The Council's Ecologist has not raised an objection to the submitted information subject to the imposition of conditions.
- 9.94. As an appendix to the ES, a biodiversity impact assessment calculator is appended. This concluded that very small gains for biodiversity were possible for the scheme, however as reported, the Council's Ecologist advised that the net gain likely would be minimal. It was advised that a higher level of net gain for biodiversity should be secured especially in light of the Council's adopted corporate position to seek a 10% gain for biodiversity.
- 9.95. Subsequently, an updated net gain calculation has been submitted, relating to the amended scheme, which has reconsidered the landscape proposals to maximise their biodiversity benefits, and this sets out that a net gain can be achieved (presented as biodiversity units) which is understood to represent a net gain of around 5.5% that could be achieved. Whilst this falls short of the Council's position to seek a 10% net gain, this position is not required by Planning Policy yet and the requirements of the Environment Bill are not yet mandatory. Policies Bicester 1 and ESD10 refer to a net biodiversity gain only, and, in this respect, the proposal complies with the policy requirements.
- 9.96. The ES acknowledges the conclusions of the Strategic Environmental Report for NW Bicester Ecotown which concluded that the overall adverse effect of the wider ecotown development on farmland bird cannot be mitigated on site with a significant adverse impact likely at the County level. A fund is proposed to secure off-site compensation to mitigate for this impact. The application acknowledges and agrees to make the relevant financial contribution (detailed in appendix 1).

### *Conclusion*

- 9.97. The Council's Ecologist is satisfied that subject to the imposition of conditions to secure mitigation and careful working practices, that the proposed development would be acceptable in respect to the impact upon any habitats or protected species and that they would be safeguarded. The Council's duty under the Conservation of Habitats and Species Regulations 2017 is therefore met and has been discharged.
- 9.98. A net biodiversity gain has been demonstrated as being achievable, although the Council's Ecologist does consider that how this is achieved must be considered via the Landscape Ecology Management Plan to ensure that a net gain can be achieved. The contribution towards offsite mitigation towards farmland birds is also relevant in this respect.
- 9.99. On this basis, the proposal is considered acceptable in ecological terms and compliance would be possible with the above-mentioned planning policies.

### Drainage and Flood Risk

#### *Policy Context*

- 9.100. The NPPF states at paragraph 167 that *when determining applications, Local Planning Authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood risk assessment.* Paragraph 169 also requires that *major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate.*
- 9.101. Policy Bicester 1 of the CLP 2031 Part 1 requires that proposals should include a flood risk assessment, that development should not be provided in areas of flood risk and sustainable urban drainage should be provided in accordance with ESD7 (the policy acknowledges that SUDs would be part of the Green Infrastructure).
- 9.102. Policy ESD6 refers to Sustainable Flood Risk Management and sets out that flood risk will be managed and reduced with vulnerable development to be located in areas with lower risk of flooding. Policy ESD7 sets out that all development will be required to use sustainable drainage systems for the management of surface water flooding.

#### *Assessment*

- 9.103. The FRA finds the site to be in Flood Zone 1 and therefore at limited risk of flooding. The drainage proposals are designed for a 100-year event + 40% climate change and therefore is designed for future climate scenarios. The scheme consists of a combination of traditional piped drainage systems and SuDS with swales proposed linked to those already present serving phase 2. Water quality measures (such as a petrol interceptor for each yard area) are included as appropriate. The surface water runoff is controlled to less than greenfield run off rates and then outlet (at a previously agreed rate of 30 seconds/ litre) to an existing ditch adjacent to the roundabout at the junction of Middleton Stoney Road and Howes Lane. Other SuDS measures include permeable paving, petrol interceptors and flow control devices. The FRA sets out that the SuDS measures and restricting outflows from the site to less than greenfield run off rates would ensure impacts elsewhere would be avoided. Indicative proposals are also put forward as a drainage strategy for the SLR. The FRA also includes a management and maintenance plan.
- 9.104. At the time of writing this report, there is an outstanding objection from the Lead Local Flood Authority. A re-consultation is underway in respect to an amended FRA and a response is anticipated prior to Committee and will therefore be reported

through the updates. It is understood that the objection relates to the detailed surface water scheme and that this is likely to be resolvable.

9.105. The Cherwell District Council Land Drainage Engineer has commented on the proposal and is generally satisfied. He has also clarified that as the proposals for surface water drainage are to drain to the south and not through the Howes Lane culvert, which it is understood to be partially blocked, then the risk to adjacent properties from flooding (which has happened over recent years) would not be increased from this development. The ditch to the south which would take the surface water associated with this site has trees within it which may cause blockages and therefore flood risk, therefore this would need to be monitored.

9.106. For foul drainage, flows are to be directed to a new independent gravity system which is to discharge to an existing foul manhole in the northeast corner of the site. Thames Water, through an amended response, have confirmed that there is no need for their originally suggested condition related to sewage infrastructure.

#### *Conclusion*

9.107. Whilst it is not possible to confirm that this matter is resolved at the time of writing, it is anticipated that a suitable surface water scheme would be achievable (either the current scheme as submitted and being considered or through an amendment that could be dealt with prior to the determination of the application) and that the above-mentioned Policies would therefore be complied with.

#### Eco Town Standards

9.108. The Eco Town Standards, which were part of the now cancelled Eco Towns Supplement to PPS1, were incorporated into Policy Bicester 1 and amplified by the NW Bicester SPD. These include several standards higher than other sites to ensure the provision of a sustainable development that responds to the impact of climate change and that is built to true zero carbon standards (defined as 'over a year, the net carbon dioxide emissions from all energy use within the buildings on the development as a whole are zero or below'). Policies ESD1-5 of the Cherwell Local Plan Part 1 2011-2031 are complementary and apply District wide to ensure sustainable development. By meeting the high standards required by Policy Bicester 1, compliance will also be likely with Policies ESD1-5 given that the site is in a sustainable location, it includes features that ensure it is resilient to climate change, it has been provided with transport infrastructure to encourage sustainable options, sustainable drainage features are proposed, and it meets true zero carbon standards.

#### *True zero carbon and climate change adaptation*

9.109. A Sustainability Statement has been submitted in support of the application relating to the original proposal (it has not been updated to reflect the amended scheme). This concludes that the scheme achieves true zero carbon development taking into account regulated and unregulated emissions by implementing passive design solutions (increased building fabric efficiency with high levels of insulation and good airtightness), high efficiency air source heat pumps and PV. This, in the same way as for Phases 1 and 2, relies on the warehouse elements of the buildings being unheated, with the office spaces only benefitting from heating and cooling (via air source heat pumps).

9.110. As mentioned above, PV is proposed. This is positioned on the southern aspect of the buildings and does not cover the whole roof slope (Officers have raised a query as to whether the area set aside on the roof plans aligns with what is identified as being required via the Sustainability Strategy, so this is outstanding at the time of writing this report). Policy ESD5 mentions the requirement for significant on-site

renewable energy provision, and this is met by this development in that sufficient PV is provided (subject to confirmation), alongside other energy efficiency measures to meet the true zero carbon requirement. In addition, this is incorporated alongside minimising energy consumption by utilising high building standards and the need to incorporate roof lights which allow natural light to penetrate the buildings and therefore avoid the need for artificial lighting.

- 9.111. The Sustainability Statement considers the Ardley Energy Recovery Facility and notes that there is currently no information that suggests a heat network would be possible, but that service ducts capable of supporting heating mains from the site boundary to the buildings would be provided should this be possible in the future. The submitted information also seeks to target BREEAM 'Very Good' level with the future capability of achieving 'Excellent' in accordance with Policy ESD3 and Policy Bicester 1. A staged condition approach is suggested to ensure this is confirmed within appropriate timescales.
- 9.112. In response to requirements of Policy Bicester 1 relating to real time energy monitoring systems and real time public transport information, the Sustainability Statement identifies that energy metering will be provided and that this will be viewable via a web-based platform that allows for feedback to be provided. Various equipment is stated as being required to enable the system. The information provided appears to be the same system accepted for Phases 1 and 2. Details of real time public transport information can be secured via condition.
- 9.113. Embodied carbon is also mentioned within the Sustainability Statement, and this is part of the BREEAM process. Materials being locally sourced would also be desirable. On the basis that the proposed materials have been assessed and considered acceptable by Officers and they follow those approved on Phases 1 and 2, no further information is sought in this respect.
- 9.114. The DAS explains that the methods introduced to mitigate climate change include using building orientation and solar shading to maximise daylight and control sunlight entering the buildings, reducing water use, the provision of refuse points, car charging points. Landscape proposals and SuDS would also contribute to climate change measures.
- 9.115. It is acknowledged that Bioregional raised a few points and additional information has not necessarily been sought in some respects. This is on the basis that the information submitted is consistent with the information accepted for Phase 1 and 2 and it is proportionate for the development applied for. For example, a query has been raised over u-values, yet these are consistent with those accepted for Phase 1 and 2. Whilst a carbon management plan is not submitted, it is anticipated that the information to be included in such a statement is covered in, for example, the sustainability strategy. A carbon management plan would usually set targets for reducing carbon emissions and set out how carbon emissions would be reduced. This is covered by the sustainability strategy which in itself is agreed to meet the true zero carbon level (subject to confirmation regarding the level of PV) despite the queries raised over the detail of the calculations. Information on allowable solutions is sought but as the site achieves true zero carbon on site, this is not considered to be necessary in this case. Other matters can be secured via condition such as securing BREEAM 'Very Good' level, the requirement for real time information and the need to consider overheating.
- 9.116. The Environmental Statement identifies that Green House Gas would increase and therefore significant impacts would arise (which would likely be true of any development) however it is noted that national policies to decarbonise energy generation and road transport (and the take up of electric vehicles for example), would

reduce impacts. In addition, mitigation measures identified for the site including minimising materials with high embodied carbon, implementing best practice measures for construction as well as constructing the development to BREEAM Very Good rating, implementing Travel Plans and providing for electric vehicle charging and energy efficient design measures and renewable technologies to achieve true zero carbon development would minimise impacts acceptably. Climate change resilience measures are also implemented to ensure the development is adapted to future climate scenarios.

#### *Healthy Lifestyles*

9.117. The NW Bicester SPD includes 'Development Principle 7 – Healthy Lifestyles', which requires health and wellbeing to be considered in the design of proposals. Facilities should be provided which contribute to the wellbeing, enjoyment and health of people, the design of the development should be considered as to how it will deliver healthy neighbourhoods and promote healthy lifestyles through active travel and sustainability. The green spaces should provide the opportunity for healthy lifestyles including attractive areas for sport and recreation as well as local food production. The NPPF confirms that planning policies and decisions should aim to achieve healthy, inclusive and safe places.

9.118. The opportunities for a wholly commercial scheme to contribute to healthy lifestyles is somewhat limited, however the proposal would provide for green infrastructure and would provide a network of footways/ cycleways that would allow for suitable connections until the rest of the development comes forward which this would link to. As described above, footway/ cycleways along the strategic link road have been widened in response to feedback from OCC through the application process. This would contribute towards the ability for residents and employees of the commercial units to make healthy and active lifestyle choices.

#### *Local Services*

9.119. The NW Bicester SPD contains 'Development Principle 8 – Local Services'. This principle requires facilities to meet the needs of local residents with a range of services located in accessible locations to homes and employment.

9.120. The Master-planned approach to the NW Bicester site has enabled the distribution of local services to be planned taking into account accessibility to housing. In accordance with the Masterplan, facilities are located to the north of the current site. This would mean that local facilities would be accessible to employees of the proposed employment site. On this basis, the site would be close to local services and therefore could be accessed via sustainable modes.

#### *Water*

9.121. Bicester is located within an area already experiencing water stress and one of the key known future climate impacts for Bicester is the potential for further water stress. Development principle 10 of the SPD refers to water and identifies that proposals should aspire to water neutrality and that development proposals are required to be ambitious in terms of water efficiency.

9.122. Bioregional identify that a Water Cycle Study is not provided but this matter is considered in the Sustainability Statement which details that whilst water neutrality would be very difficult, the units would aim to achieve reductions in water consumption via the use of water efficient sanitaryware and fittings, details of which are provided. These features would also be part of the BREEAM assessment in achieving a 'Very Good' rating. A condition can be included to ensure that the proposals to include water efficient measures are implemented. Other matters that a Water Cycle Study would

typically involve (such as water quality) are covered within the Flood Risk Assessment.

#### *Waste*

9.123. Development principle 12 of the SPD refers to waste. It sets out that planning applications should include a sustainable waste and resources plan which set targets for residual waste levels and landfill diversion which should ensure that zero waste is sent to landfill from construction, demolition and excavation.

9.124. With regard to the construction phase, the Environmental Statement in Chapter 6 (Construction) identifies that spoil from construction works will be re-used on site for mound construction and landscaping and that there is the intention that in order to achieve the BREEAM 'Very Good' rating, that waste would be minimised, re-used and recycled before any waste is disposed of at landfill. Other factors such as using prefabricated units where possible and utilising working methods such as not over-ordering materials and organising materials to be delivered as they are required amongst other measures would also be implemented. Such matters would be covered in the Construction Management Plan.

9.125. For the operational stage, waste storage is provided for each unit within designed-in storage points.

#### *Community and Governance*

9.126. The SPD explains that Community and Governance is a key development principle which would contribute towards the creation of a balanced and mixed community and that an approach is required to ensure the development retains its integrity, continues to meet eco-town standards and to ensure that appropriate Governance structures are in place to achieve this. This is more relevant to proposals for residential development and is therefore not considered further with respect to this commercial proposal.

#### *Cultural Wellbeing*

9.127. Policy Bicester 1 refers to the provision of public art to enhance the quality of the place, legibility and identity. The NW Bicester SPD includes Development Principle 14, which relates to cultural wellbeing and this, alongside appendix V, sets out a process whereby developers would be requested to submit a cultural wellbeing statement to embed public art through their scheme but also to complement and support the vision for NW Bicester by drawing on sustainability and the natural environment, to create identity and to be holistic in involving the community (i.e., in events etc). Through the planning appeal relating to the implemented outline permission, a contribution towards public art was secured from both the commercial and residential parts of the site. On this basis, it is recommended that a S106 contribution be secured. This would ensure the sites contribution to the cultural wellbeing aims at the site and to contribute to NW Bicester being a culturally vibrant place.

#### Other matters

9.128. Within its submitted Economic Statement and the Socio-Economic chapter of the ES, the applicant highlights several expected economic benefits of the proposal which, in summary comprise:

- The provision of construction jobs (approx. 110);
- The provision of permanent employment opportunities in the completed development;

- Support for economic objectives for the Eco-Town;
- High quality, well designed employment space;
- Employment space suitable for local businesses;
- Local skills and training benefits including apprenticeships (which are to be secured via the requirement for a Training and Employment Plan via the S106);
- Uplift in Gross Value added (a measure of the increase in the value of the economy due to the production of goods and services);
- Increase in local spending;
- Increase in business rates (although it must be stated that this benefit should be given limited weight given that there is no direct relationship to making this scheme acceptable in planning terms and Government advice in the PPG states that it is not appropriate to make a planning decision based upon the potential for the development to raise money for a Local Authority or other Government body).

9.129. Officers accept that the development would bring economic benefits and that these should attract moderate weight in the planning balance, although it must be highlighted that some of these economic benefits are not unique to this development alone.

#### *Environmental Considerations*

9.130. With respect to environmental considerations, Policy ENV1 of the Cherwell Local Plan 1996 states that development which is likely to cause materially detrimental levels of noise, vibration, smell, smoke, fumes or other types of environmental pollution will not normally be permitted. The policy states that the Council will seek to ensure that the amenities of the environment and in particular the amenities of residential properties are not unduly affected by development proposals which may cause environmental pollution including that caused by traffic generation. Policy ENV12 of the Cherwell Local Plan 1996 relates to contaminated land and states that development on land which is known or suspected to be contaminated will only be permitted if adequate measures can be taken to remove any threat of contamination to future occupiers of the site.

9.131. The NPPF includes requirements around conserving and enhancing the natural environment. At paragraph 174, it identifies that decisions should prevent new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Paragraph 183 identifies that decisions should ensure a site is suitable for its proposed use taking account of ground conditions and any risks arising from land instability and contamination. Paragraph 185 requires that developments should mitigate and reduce to a minimum potential adverse impact resulting from noise from new development.

9.132. The Environmental Protection Officer has considered the submitted information and has recommended a series of conditions to secure further information to ensure that the development does not cause undue harm to the environment.

9.133. Those conditions relating to air quality, to securing noise levels and mitigation to noise and to require a construction management plan are all recommended. Whilst the planning statement refers to the submission of an air quality assessment, this has not been received and assessed.



9.134. The following conditions sought by the Environmental Protection Officer are not recommended for the following reasons:

- A contaminated land assessment is not sought because in considering this matter related to the site to the south, the appeal Inspector accepted that the land conditions meant there was unlikely to be a contamination concern and a condition relating to unexpected contamination was imposed. This is suggested as being a reasonable approach for this application.
- A condition requiring electric vehicle charging infrastructure is not recommended because forthcoming changes to the Building Regulations will mean that this is a requirement under that legislation and there is no need to replicate requirements that apply in any event under other legislation by planning condition.
- A condition to seek a lighting scheme is not recommended because a scheme was submitted with the application, and this has been confirmed as being acceptable. A condition to secure implementation of the scheme is though recommended.

9.135. Impacts by noise are considered in the ES, informed by a Noise Assessment and whilst it is acknowledged that during certain periods of the construction phase, noise may be audible, which could result in temporary moderate adverse effects, the impacts would be temporary and with best practice methods to be implemented as part of a Construction Environment Management Plan, the impacts could be adequately controlled. For the operational phase, the impacts are predicted to be low taking into account the recommended criteria resulting from fixed plant and equipment and road traffic impacts including in cumulation with phase 1 and 2 already constructed. A condition is recommended to secure this. The original report confirmed that this is subject to the implementation of a 4m noise barrier between previously proposed units 10 and 11 and two 2.5m acoustic barriers between unit 3 and 4 and adjacent to the previously proposed unit 6. The amended scheme appears to have removed the noise barriers around units 6, 10 and 11 as they are no longer part of the scheme, but an updated noise assessment has not been submitted to demonstrate that this is justified. This has been queried with the Agent for the application but is a matter that is likely to be resolvable.

9.136. Policy ESD10, in aiming to securing the protection and enhancement of biodiversity and the natural environment, confirms that the protection of trees will be encouraged with the aim to increase the number of trees within the District. An Arboricultural Impact Assessment has been submitted. This confirms that no trees or hedgerows are required to be removed to facilitate the scheme and that no trees protected by a TPO would be affected. It also advises that the proposed bunds which form part of the scheme are constructed outside the Root Protection Areas of the retained trees and hedgerows. The Assessment includes a Tree Protection Plan which shows where protective fencing and exclusion zones are required to protect the existing vegetation. This is predominantly to the east with small sections of the northern boundary proposed to be protected. Whilst the Council's Arboricultural Officer has not provided advice on this proposal, the scheme is therefore accepted as submitted and this should be secured by a planning condition.

9.137. A Statement of Archaeological Completion has been submitted which confirms that an archaeological excavation has been undertaken which found evidence of finds of local importance. The OCC Archaeologist has not commented upon this application but has confirmed that conditions relating to earlier phases were acceptable leading to those conditions being discharged.

## *Conditions and S106*

9.138. A S106 Legal agreement will be required to be entered into to secure mitigation resulting from the impact of the development both on and off site. This would ensure that the requirements of Policy INF1 of the CLP 2031 Part 1 can be met, which seeks to ensure that the impacts of development upon infrastructure including transport, education, health, social and community facilities can be mitigated. The Authority is also required to ensure that any contributions sought meet the following legislative tests, set out at Regulation 122 of the Community Infrastructure Regulations 2011 (as amended):

- Necessary to make the development acceptable in planning terms;
- Directly relate to the development; and
- Fairly and reasonable related in scale and kind to the development

9.139. The table at Appendix 1 sets out the required Heads of Terms and the justification for those requests.

9.140. Planning Conditions should only be imposed where they are necessary, relevant to planning and to the development permitted, enforceable, precise and reasonable in all other respects (para 206). A list of planning conditions will be drafted and presented in full through the written updates to cover those areas as discussed and identified through this report. Tweaks may also be required to the conditions to reflect queries that have been raised.

## **10. PLANNING BALANCE AND CONCLUSION**

10.1. Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that any application for planning permission must be determined in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises a number of relevant Policies and they are considered up to date for the purpose of considering this proposal.

10.2. The NPPF is a material consideration. This confirms that there is a presumption in favour of sustainable development and that economic, social and environmental objectives should be sought mutually. The presumption in favour of sustainable development is set out at paragraph 11, which confirms that for development taking, development proposals that accord with an up-to-date development plan should be approved without delay.

10.3. The 'principle' section of this report explains that the proposal conflicts with Policy Bicester 1 in that it proposes an alternative form of development on land that is identified within the Masterplan for the NW Bicester site (embedded within the NW Bicester SPD) for residential uses. Policy Bicester 1 requires planning permission to be granted in accordance with the Masterplan.

10.4. However, it is necessary to consider the merits of the scheme notwithstanding that this would result in the loss of residential land. As set out, the applicant has identified that there is a need for additional employment land due to the demand they have experienced on Phases 1 and 2 and they are confident that this demand is such that the current phase, if approved, would be pre-let prior to the units being completed. The Economic Development Team have confirmed that their applicant's submission on the market need matches their understanding of demand.

10.5. The provision of additional commercial development is not precluded by the wording of Policy Bicester 1 which refers to a minimum floorspace area, the conflict comes

against the Masterplan which seeks to guide development. The provision of additional commercial development would assist in contributing to the job opportunities that Policy Bicester 1 seeks which would contribute to the achievement of sustainable development by providing opportunities within proximity to planned residential development and therefore accessible via sustainable modes. The proposal is complementary to the commercial uses already provided on Phases 1 and 2 in terms of design and use class and would be constructed to BREEAM 'Very Good' standard. The NPPF advises Local Planning Authorities to support economic development, to create the conditions in which businesses can invest, expand and adapt and to be flexible to accommodate needs not anticipated by the Plan and to enable a rapid response to changes in economic circumstances. The Applicant has also identified several other economic benefits which would attract some weight in the planning balance.

- 10.6. The report identifies that the proposal would not be harmful to landscape and visual amenity, could be accommodated without undue harm to the residential amenity of nearby properties, would provide for 40% Green Infrastructure, achieve a net biodiversity gain and to generally meet the eco-town standards including that True Zero Carbon could be achieved.
- 10.7. The proposal provides appropriately for sustainable transport modes by providing for walking and cycling infrastructure including along part of the Strategic Link Road that is proposed to be provided through this application. The proposal would not preclude the delivery of the rest of the SLR and the arrangements previously agreed to secure this would need to continue to apply to this site.
- 10.8. OCC have also confirmed that due to the limited number of trips predicted to travel north through the Howes Lane/ Bucknell Road/ Lords Lane junction, that a severe transport impact would not result such that the proposal could be resisted on transport grounds or that it should be restricted until the new infrastructure is provided and opened to vehicular traffic (which would not be possible anyway as explained in the report).
- 10.9. There are some outstanding points as have been identified in this report and it is hoped that updates can be provided on these matters through the written updates as well as confirmation on the position regarding the surface water drainage scheme from the Lead Local Flood Authority. It is anticipated that these outstanding matters can be resolved through negotiation.
- 10.10. On balance, Officers consider that taking into account the limited harm from the proposals, the ability of the scheme to meet the required standards at the site including true zero carbon and the justification provided to support the applicant's case for additional employment development, that the principle of the development is acceptable in this case. The proposal therefore complies with the above-mentioned policies and is recommended for approval.
- 10.11. Officers are content that subject to the imposition of conditions, the development, as supported by an Environmental Statement would not cause serious harm to the environment and that any environmental impacts could be appropriately mitigated for.

## 11. RECOMMENDATION

### **RECOMMENDATION – DELEGATE TO THE ASSISTANT DIRECTOR FOR PLANNING AND DEVELOPMENT TO GRANT PERMISSION SUBJECT TO:**

- (i) THE REMOVAL OF THE OBJECTION FROM THE LEAD LOCAL FLOOD AUTHORITY,**
- (ii) CONDITIONS SET OUT BELOW (AND ANY AMENDMENTS TO THOSE CONDITIONS AS DEEMED NECESSARY); AND**
- (iii) SUBJECT TO THE COMPLETION OF A PLANNING OBLIGATION UNDER SECTION 106 OF THE TOWN AND COUNTRY PLANNING ACT 1990, AS SUBSTITUTED BY THE PLANNING AND COMPENSATION ACT 1991, TO SECURE THE INFRASTRUCTURE SET OUT IN APPENDIX 1 (AND ANY AMENDMENTS TO THOSE OBLIGATIONS AS DEEMED NECESSARY)**

### CONDITIONS

#### **TIME LIMITS AND GENERAL IMPLEMENTATION CONDITIONS**

1. The development to which this permission relates shall be begun not later than the expiration of three years beginning with the date of this permission.

Reason - To comply with the provisions of Section 91 of the Town and Country Planning Act 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act 2004.

2. Except where otherwise stipulated by conditions attached to this permission, the development shall be carried out strictly in accordance with the following plans and documents:

- 20019-TP-001 Rev F 'Site Location Plan'
- 20019-TP-002 Rev R 'Proposed Site Plan'
- 20019-TP-003 Rev L 'Proposed Site Finishes Plan'
- 20019-TP-005 Rev C 'Units 1-3 Floor Plans'
- 20019-TP-006 'Units 1-3 Roof Plans'
- 20019-TP-007 'Units 1-3 Sections'
- 20019-TP-008 Rev D 'Units 1-3 Elevation'
- 20019-TP-009 Rev C 'Unit 4 Floor Plans'
- 20019-TP-010 'Unit 4 Roof Plan'
- 20019-TP-011 'Unit 4 Sections'
- 20019-TP-012 Rev D 'Unit 4 Elevations'
- 20019-TP-013 Rev B 'Unit 5 Floor Plans'
- 20019-TP-014 'Unit 5 Roof Plan'
- 20019-TP-015 'Unit 5 Sections'
- 20019-TP-016 Rev C 'Unit 5 Elevations'
- 20019-TP-023 'Cycle Shelter Details'
- 20019-TP-024 'Refuse Enclose Details'
- 20019-TP-025 'Entrance Canopy Details'
- 20019-TP-026 'Fencing Details'
- 20019-TP-027 Rev A 'External Finishes Sample Board'
- S1209-PH3-02 Rev F 'SW Drainage Layout'
- S1209-PH3-03 Rev F 'FW Drainage Layout'
- S1209-PH3-04 Rev E 'Phase 3 External Works & Levels'
- S1209-PH3-05 Rev A 'Phase 3 Typical Drainage Details'
- 1746-ESC-00-ZZ-DR-E-2100 Rev P3 'External Lighting Layout'
- 14042-60-GA Rev N 'Access Road General Arrangement'

Reason – For the avoidance of doubt, to ensure that the development is carried out only as approved by the Local Planning Authority and comply with Government guidance contained within the National Planning Policy Framework.

3. The development shall be used for uses falling within Classes E(g)(iii), B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (or their equivalent in subsequent enactments or re-enactments), only and shall be used for no other purposes whatsoever.

Reason – In order to retain planning control over the use of the site and to ensure that the impacts of the development are no greater than those considered under this application in accordance with Policies SLE1 and Bicester 10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

4. All site clearance (including the removal of any vegetation or works to hedgerows) shall be timed so as to avoid the bird nesting season, this being during the months of March until July inclusive unless the Local Planning Authority has confirmed in writing that such works can proceed, based on submission of a survey (no more than 48hrs before works commence) undertaken by a competent ecologist to assess the nesting bird activity on site, together with details of measures to protect the nesting bird interest on the site as required.

Reason: To ensure that the development will conserve and enhance the natural environment and will not cause significant harm to any protected species or its habitat to comply with Policy ESD10 of the Cherwell Local Plan 2011-2031 Part 1 and Government guidance contained within the National Planning Policy Framework.

5. All planting, seeding or turfing comprised in the approved details of landscaping shall be carried out in the first planting and seeding seasons following the occupation of the building(s) or on the completion of the development, whichever is the sooner, and shall be maintained for a period of 5 years from the completion of the development. Any trees and/or shrubs which within a period of five years from the completion of the development die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species, unless the Local Planning Authority gives written consent for any variation.

Reason: To ensure that the agreed landscaping scheme is maintained over a reasonable period that will permit its establishment in the interests of visual amenity and to accord with Policy ESD15 of the Cherwell Local Plan 2011 – 2031 Part 1, Saved Policy C28 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

6. A condition regarding outside storage/ external plant/ storage heights
7. If, during development, contamination not previously identified is found to be present at the site, no further development shall be carried out until full details of a remediation strategy detailing how the unsuspected contamination shall be dealt with has been submitted to and approved in writing by the Local Planning Authority. Thereafter the remediation strategy shall be carried out in accordance with the approved details.

Reason: To ensure that any ground and water contamination is identified and adequately addressed to ensure the safety of the development, the environment and to ensure the site is suitable for the proposed use, to comply with Saved Policy ENV12 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

8. Condition relating to a noise limit for operational plant as specified in the ES
9. Removal of PD rights for further boundary treatments or enclosures beyond those shown or approved elsewhere
10. Visibility splays to be kept free from obstruction (potential need for details – to be discussed)

#### **PRE-COMMENCEMENT CONDITIONS**

11. No development shall take place on any phase, including any works of demolition until a Construction Method Statement has been submitted to, and approved in writing by the Local Planning Authority. The statement shall be appropriately titled (site and planning permission number) and shall provide for at a minimum:
  - The parking of vehicles of site operatives and visitors;
  - The routeing of HGVs to and from the site;
  - Loading and unloading of plant and materials;
  - Storage of plant and materials used in constructing the development;
  - The erection and maintenance of security hoarding including decorative displays and facilities for public viewing, where appropriate;
  - Wheel washing facilities including type of operation (automated, water recycling etc) and road sweeping;
  - Measures to control the emission of dust and dirt during construction;
  - A scheme for recycling/ disposing of waste resulting from demolition and construction works;
  - Delivery, demolition and construction working hours;
  - Spoil locations
  - Water management
  - The measures covered in the ES in paragraphs ... (TO BE ADDED)

The approved Construction Method Statement shall be adhered to throughout the construction period for the development.

Reason: To ensure the environment is protected during construction in accordance with Saved Policy ENV1 of the Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

12. No development shall take place on any phase (including demolition, ground works, vegetation clearance) until a Construction Environmental Management Plan (CEMP: Biodiversity) has been submitted to and approved in writing by the Local Planning Authority. The CEMP: Biodiversity shall include as a minimum:
  - a) Arrangements for a site walkover survey undertaken by a suitably qualified Ecologist to ensure that no protected species, which could be harmed by the development have moved onto the site since the previous surveys were carried out. If any protected species are found, details of mitigation measures to prevent their harm shall be required to be submitted;
  - b) Risk assessment of potentially damaging construction activities;
  - c) Identification of 'Biodiversity Protection Zones';
  - d) Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction (may be provided as a set of method statements);
  - e) The location and timing of sensitive works to avoid harm to biodiversity features;

- f) The times during construction when specialist ecologists need to be present on site to oversee works;
- g) Responsible persons and lines of communication;
- h) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
- i) Best practice with regard to wildlife including use of protective fences, exclusion barriers and warning signs

The approved CEMP: Biodiversity shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

Reason: To protect habitats of importance to biodiversity conservation from any loss or damage in accordance with Policy ESD10 of the Cherwell Local Plan 2011 – 2031 Part 1 and Government guidance contained within Section 15 of the National Planning Policy Framework. This information is required prior to commencement of the development as it is fundamental to the acceptability of the scheme.

- 13. Condition requiring pre-construction ecological surveys/ checks including measures for GCN, Badgers and Western European Hedgehog unless included in the CEMP for Ecology (above)
- 14. No development shall take place until a Construction Traffic Management Plan (CTMP) has been submitted to and approved in writing by the Local Planning Authority. Thereafter, the development shall not be carried out other than in accordance with the approved CTMP.

Reason: In the interests of highway safety and the residential amenities of neighbouring occupiers and to comply with Government guidance contained within the National Planning Policy Framework.

- 15. Prior to the commencement of the development hereby permitted a detailed air quality impact assessment to identify the impact of the development on local air quality shall be submitted to and approved in writing by the Local Planning Authority. The assessment should include damage cost calculations where applicable along with a proposal for abatement measures that will be undertaken in addition to those already required from the developer. This shall have regard to the Cherwell District Council Air Quality Action Plan and no development shall take place until the Local Planning Authority has given its written approval that it is satisfied that the impact of the development on air quality has been adequately quantified.
- 16. Condition relating to details of access/ the crossing of Howes Lane (to be discussed in advance with OCC Transport)
- 17. Potential need for a pre-commencement drainage condition
- 18. Condition to require pre-commencement implementation of the tree protection measures set out in the AMS
- 19. Condition requiring service connections to be approved

**CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE SPECIFIC CONSTRUCTION WORKS TAKE PLACE**

- 20. Prior to their installation on any building, full details of the solar PV shall be submitted to and approved in writing by the Local Planning Authority. The solar PV shall be

installed prior to first occupation and retained and maintained in working order thereafter.

Reason: To support the delivery of renewable and low carbon energy in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

21. Details of biodiversity measures and the requirement to implement them
22. Within six months following the commencement of the development, a BREEAM New Construction Fully Fitted Design Stage Certificate and summary score sheet (or such equivalent standard that replaces this) relating to the development shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate that rating 'Very Good' will be achieved.

Reason: To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Policy Bicester 1 of the Adopted Cherwell Local Plan Part 1 2011-2031.

23. Notwithstanding the submitted landscape scheme and prior to the implementation of any landscaping, a scheme for landscaping the site shall be submitted for approval. Including details of tree pits
24. Requirement for a Landscape and Ecology Management Plan
25. Requirement to agree position of any required fencing not shown prior to its implementation
26. Prior to their installation on any building hereby approved, full details of any mechanical ventilation or extraction equipment (if applicable and including any air source heat pumps and their associated condenser units) shall be submitted to and approved by the Local Planning Authority. Thereafter the mechanical ventilation shall be installed, brought into use and retained in accordance with the approved details.

Reason - In order to safeguard the amenities of the area and to minimise the risk of a nuisance arising from smells in accordance with Saved Policy ENV1 of the adopted Cherwell Local Plan 1996 and Government guidance contained within the National Planning Policy Framework.

27. Details of the colour finish of any acoustic screens

#### **CONDITIONS REQUIRING APPROVAL OR COMPLIANCE BEFORE OR AFTER OCCUPATION**

28. The requirement to implement the lighting scheme prior to the first occupation of the development
29. Implement EV Charging scheme prior to occupation
30. Implement covered cycle parking prior to occupation
31. Implement acoustic barriers and any other mitigation from the noise report prior to occupation
32. Requirement for details of and implementation of real time information
33. Details of and implement measures to minimise water consumption



34. No employment building shall be occupied until it has been provided with service connections capable of supporting the provision of high-speed broadband from the building to the nearest broadband service connection outside the site.

Reason: To facilitate information provision to homes for energy monitoring, travel and home working change in accordance with Policy Bicester 1 of the Adopted Cherwell Local Plan Part 1 2011-2031 and Government guidance contained within the National Planning Policy Framework.

35. Within six months following the occupation of the non-residential development, a BREEAM New Construction Fully Fitted Post Construction Review Certificate and summary score sheet (or such equivalent standard that replaces this) relating to that non-residential development shall be submitted to and approved in writing by the Local Planning Authority which shall demonstrate that rating 'Very Good' has been achieved.

Reason: To support the creation of a low carbon community to achieve the requirements of Policies ESD1 and Policy Bicester 1 of the Adopted Cherwell Local Plan Part 1 2011-2031.

36. Notwithstanding the submitted Framework Travel Plan and prior to the occupation of the first non-residential unit, a Framework Travel Plan, prepared in accordance with the Department for Transport's Best Practice Guidance Note 'Using the Planning Process to Secure Travel Plans and its subsequent amendments, shall be submitted to and approved in writing by the Local Planning Authority for the development proposed on the outline site area. The approved Travel Plan shall be implemented in accordance with the details so approved.

Reason: In the interests of sustainability and to ensure a satisfactory form of development, in accordance with Government guidance contained within the National Planning Policy Framework.

37. A possible condition to require the closure of the temporary access arrangements once SLR is in place

### **Planning Notes**

1. Before granting this planning permission the Council has taken into account the environmental information relating to the development (within the meaning of the Town and Country Planning (Environmental Assessment) (Regulations) 2017 (as Amended).
2. Attention is drawn to a Legal Agreement related to this development dated **XXX** which has been made pursuant to Section 106 of the Town and Country Planning Act 1990, Sections 111 and 139 of the Local Government Act 1972 and/or other enabling powers.
3. If you are planning on using mains water for construction purposes, it's important you let Thames Water know before you start using it, to avoid potential fines for improper usage. More information and how to apply can be found online at [thameswater.co.uk/buildingwater](http://thameswater.co.uk/buildingwater).
4. Thames Water will aim to provide customers with a minimum pressure of 10m head (approx 1 bar) and a flow rate of 9 litres/minute at the point where it leaves Thames Waters pipes. The developer should take account of this minimum pressure in the design of the proposed development.

5. The Environment Agency's response of the 02 November 2021 includes links to various publications relating to the duty to ensure that business activities do not cause or allow pollution. The applicant's attention is drawn to this.
6. The applicant is reminded that the Environment Agency have a regulatory role in issuing legally required consents, permits or licences for various activities. The applicant should ensure that any necessary consent, permit or licence is obtained from the Environment Agency should that be required.
7. The response from the Thames Valley Police Design Advisor of the 05 May 2022 includes some guidance relating to Building Security. The applicant's attention is drawn to this.

**APPENDIX 1- Heads of Terms for Section 106 Agreement/undertaking**

Planning obligation			Regulation 122 Assessment
Detail	Amounts (all to be Index linked)	Trigger points	
Contribution towards Public Art	<p>£24,181 index linked from 2Q17.</p> <p>Lower figure TBC due to the reduced scheme.</p> <p>The contribution would likely be presented as a formula in the same way as that sought on the original permission to secure a level of public art per commercial unit.</p>	TBC but likely Pre-occupation of each commercial unit.	<p><b>Necessary</b> – The NW Bicester SPD includes cultural wellbeing as one of its key development principles. The payment of a public art contribution would ensure that the development contributes to the creation of a culturally vibrant place at NW Bicester.</p> <p><b>Directly related</b> – The proposal is part of the NW Bicester development. As per the previous S106, the contribution would be specified to be used towards the provision of public art within the NW Bicester development and therefore it would be directly related to the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The contribution is based upon the same rate per sqm of commercial development as was used in the previous S106 relating to the wider site which is considered to be fairly and reasonably related in scale and kind to the scale of development proposed.</p>
Biodiversity offset contribution to mitigated for impacts upon farmland birds	£7,988.24 index linked from 2Q17		<b>Necessary</b> – The Masterplan Strategic Environmental Report identified that it would not be possible to

		<p>compensate for the loss of habitats used by farmland birds as a consequence of the whole development at NW Bicester. It identified that offsite compensation to enhance the value of land for farmland birds would be necessary to mitigate for the impacts. As the development site is part of NW Bicester it is necessary that a contribution is made to account for its proportionate impact upon farmland birds.</p> <p><b>Directly related</b> – The proposed contribution is directly related to the impacts on farmland birds arising from the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – When it was identified that farmland birds could not be mitigated for on site as a consequence of the development, work was undertaken to identify that 200ha of farmland would need to be enhanced for a period of 25 years. An annual cost was proposed and then an additional 15% sum added for staff resource to implement and manage the scheme. This was multiplied by 25 to give a total sum for a 200ha area of land. The contribution was divided by the masterplan site area minus the Exemplar site to give a per hectare figure. This contribution has then been multiplied by the site area in this case of 6ha to give the total amount sought. The contribution sought is therefore fairly and reasonably related in scale and kind to the development.</p>
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<p>Training and Employment Plan to secure 3 apprenticeship starts</p>	<p>Nil</p>	<p>TEP to be submitted for approval prior to the implementation of the development. Arrangements to reflect those within the previous S106 agreements for the site.</p>	<p><b>Necessary</b> – Policy Bicester 1 states that an economic strategy is to be produced to support planning applications demonstrating how access to work will be achieved. The CDC Planning Obligations SPD sets out the type of development and the thresholds on development that will trigger the requirement for the provision of a stated number of apprenticeships as part of an Employment and Skills Training Plan. In order for the development to contribute to this, it is necessary for a Training and Employment Plan to be submitted to secure apprenticeship starts. Whilst the number of apprenticeships is lower than as required by the SPD, the number is proportionate to the number secured by Phases 1 and 2.</p> <p><b>Directly related</b> – The request is directly related to the development as the development itself is a vehicle to support an on-going programme of skills, training and apprenticeships. The apprenticeship starts would be directly related to the construction of the development itself.</p> <p><b>Fairly and reasonably related in scale and kind</b> – Notwithstanding that the number of apprenticeships starts is lower than that set out by the SPD, the number is considered proportionate and therefore fairly and reasonably related in scale and kind to the development. The requirement for a TEP would also increase the skills opportunities on site.</p>
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<p>Requirements to monitor the development through the construction and post occupancy stages</p>	<p>N/A</p>	<p>The requirement to agree a scheme prior to implementation and then ongoing timescales to monitor the development.</p>	<p><b>Necessary</b> – In order to ensure that the development is meeting the high standards sought across NW Bicester, to learn from the site and to allow improvements to future phases of the development, long term monitoring of the Eco-Town Standards is required. As such, it is necessary to secure a scheme of monitoring from this site.</p> <p><b>Directly related</b> – The monitoring is directly related to the development itself.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The monitoring to be undertaken would be proportionate to the development itself and therefore is fairly and reasonably related in scale and kind to the development.</p>
<p>Arrangements to link the proposal to the major infrastructure agreements (comprising a legal charge, an access licence and a contribution agreement) (or an arrangement considered suitable by the Council's Solicitors). The arrangement makes provisions for allowances against the proportionate contribution required from this site where the owner delivers part of the SLR themselves and sets out the need for technical approval for this.</p>	<p>TBC</p>		<p><b>Necessary</b> – The development includes land that is required to deliver a strategic link road based upon its currently planned route as shown on the NW Bicester Masterplan. In the same way that arrangements have been secured in the past related to the wider outline site, those same (or as agreed following advice) arrangements should also apply to this site where relevant to ensure that those elements remain secure. The detail of the element of the strategic link road to be delivered will require technical approval via these agreements to ensure it is constructed to an appropriate standard.</p>

			<p><b>Directly related</b> – This requirement is directly related to the development because the land forms part of the application site and nearby and as it is required for strategic purposes, the requirement to secure this is directly related to the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The proposals would ensure a fair and reasonably related contribution in scale and kind is made towards the major infrastructure, also taking into account any infrastructure which is directly delivered. The other agreements are proportionate because they relate to the land itself.</p>
A public transport contribution towards bus services serving NW Bicester	<p>£134,375 index linked from 2Q17 (RPI-x)</p> <p>Lower figure TBC due to the reduced scheme.</p>	TBC or Delegated Authority is sought to enable Officers to negotiate this	<p><b>Necessary</b> – The contribution is necessary to provide sustainable transport options to the site and as part of the overall public transport strategy for the NW Bicester policy allocation.</p> <p><b>Directly related</b> – The proposal provides for commercial uses which should be reasonably accessible via public transport modes to ensure employees have options to use sustainable modes of transport. It is therefore directly related to the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The level of contribution sought is the same as the instalment of the agreed bus service contribution that is secured upon occupation of the permitted</p>

			residential development that this development would replace.
A public transport infrastructure contribution towards bus stop infrastructure at NW Bicester (unless this is dealt with under S278/ S38)	£19,460 index linked from April 2017 (Baxter)	TBC or Delegated Authority is sought to enable Officers to negotiate this	<p><b>Necessary</b> – The contribution is necessary to support the provision of sustainable transport options to the site and as part of the overall public transport strategy for the NW Bicester policy allocation.</p> <p><b>Directly related</b> - The proposal provides for commercial uses which should be reasonably accessible via public transport modes to ensure employees have options to use sustainable modes of transport. This is infrastructure to support the public transport provision. It is therefore directly related to the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The level of contribution sought is the same as the instalment of the agreed bus infrastructure contribution that is secured upon occupation of the permitted residential development that this development would replace.</p>
There may be a need for a Traffic Regulation Order (if the matters are not dealt with under S278/S38 agreement). This is not clear yet.			



<p>Travel Plan Monitoring contribution towards the cost of monitoring the framework and individual travel plans over the life of the plans</p>	<p>£5,271 index linked from December 2020 (RPI-x)</p> <p>TBC if a lower figure will apply due to the reduced scheme.</p>	<p>TBC or Delegated Authority is sought to enable Officers to negotiate this</p>	<p><b>Necessary</b> – The site will require a framework travel plan and individual travel plans for the two largest units. The fee is required to cover OCCs costs of monitoring the travel plans over their life.</p> <p><b>Directly related</b> – The contribution is directly related to the required travel plans that relate to this development. Monitoring of the travel plans is critical to ensure their implementation and effectiveness in promoting sustainable transport options and contributing to the aims of Policy Bicester 1.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The amount is based on standard charging scales which are in turn calculated based on the Officer time required at cost.</p>
<p>Public right of way contribution towards improvements to Bridleway 9 and Bucknell Bridleway 4</p>	<p>£2,846 index linked from April 2017 (Baxter)</p> <p>Lower figure TBC due to the reduced scheme.</p>	<p>TBC or Delegated Authority is sought to enable Officers to negotiate this</p>	<p><b>Necessary</b> – The contribution is necessary to ensure that the site continues to pay a proportionate contribution to the overall public rights of way improvements required for the NW Bicester policy allocation.</p> <p><b>Directly related</b> – The overall NW Bicester site would allow greater public access and use of local public rights of way by residents and employees of the development. The contribution is therefore directly related to the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The contribution is the same as the public rights of</p>

			way contribution that is secured upon occupation of the permitted residential development that this development would replace.
<p>The requirement to enter into a S278 agreement to secure the proposed crossing of Howes Lane with a signalised crossing to the public right of way at Wansbeck Drive</p> <p>This may also include (subject to confirmation from OCC) the identification of areas required to be dedicated as public highway and agreement of all relevant landowners will be necessary.</p>	N/A	<p>The requirement not to implement the development until a S278 has been entered into must be secured by the S106. The trigger by which time S278 works are to be completed (prior to occupation) should also be included in the S106.</p>	<p><b>Necessary</b> – The proposed offsite highway works are necessary to provide pedestrian and cycle links from the development site to the local area. As the works are necessary to create the opportunities for sustainable travel, their provision must be secured. The requirement is therefore for the S106 to include a process to secure the entering into a S278 prior to the implementation of the development and to include timescales for the works to be completed by.</p> <p><b>Directly related</b> – The requirement to deliver the offsite highway works is directly related to the development as it is the development that requires these works.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The requirement is fairly and reasonably related in scale and kind to the development as it has been negotiated and secured as necessary works to make the development acceptable and to provide for a sustainable means of access to the site.</p>
<p>A routing agreement to prevent HGV traffic from using Howes Lane</p>			<p><b>Necessary</b> – The transport impact of the development assumes a certain number of trips that would route North to the Howes Lane/ Bucknell Road/ Lords Lane junction prior to the opening of a realigned SLR. This would rely on a routing agreement to ensure that any</p>

			<p>HGV traffic routes south in the same way that routing is secured for the existing site. On this basis, the requirement is necessary to mitigate for the transport impacts of the development.</p> <p><b>Directly related</b> – The requirement is directly related to the scheme as it relates to vehicular movements related to and from the site only.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The proposal is fairly related in scale and kind to the development as it relates to vehicular movements related to and from the site only.</p>
<p>CDC and OCC Monitoring fee</p>	<p>CDC: £5,500 OCC: TBC</p>	<p>On completion of the S106</p>	<p>The CDC charge is based upon its recently agreed Fees and Charges Schedule which sets out that for developments of between 10,000-75,000sqm floorspace that a bespoke charge will be based upon the number of obligations and triggers with a minimum charge of £5,000. A registration charge of £500 is also applicable. As the development has relatively few obligations and triggers for CDC, the minimum charge plus the registration charge is required. The need for a monitoring fee is to ensure that it can appropriately monitor that the development is complying with its S106 including the high standards sought at the site and taking into account the complex nature of the site.</p>



## Appendix 5

### REFERENCED CLP 2015 POLICIES

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the potential to test a wide range of innovative and emerging technologies due to its scale.

**C.42** The Council will continue to work with central Government, the promoters of North West Bicester, the local community and other partners to ensure the delivery of an exemplary eco-town that achieves the highest environmental standards.

**C.43** The North West Bicester Eco-Town is central to both our District-wide strategy and our strategy for Bicester. Delivering an eco-town is considered to be one of the most sustainable means of accommodating strategic growth at Bicester to 2031. The development will provide a new community to the highest environmental standards and with its own local services and facilities. The masterplan will include employment areas, schools, services and facilities and extensive green and public open space to maximise the opportunity for town wide economic, community and environmental gains. At the same time the Eco-Town will integrate with and complement the function and urban form of Bicester.

**C.44** The land at North West Bicester is the least constrained direction of growth on the urban fringe for delivering growth on this scale. The proposals for North West Bicester will however need to consider the impact on the surrounding area including the villages of Bucknell and Caversfield.

## Employment

**C.45** An economic strategy will be produced to support the proposals for the eco-town at North West Bicester. It should demonstrate how access to employment will be achieved and deliver a minimum of one employment opportunity per new dwelling. For North West Bicester, this will mean providing access to work and 6,000 jobs by

the end of the delivery of the North West Bicester Eco-Town development. The Local Plan estimates that over 3,000 homes will be provided by 2031 and therefore sets a target of approximately 3,000 job opportunities associated with the project to be provided within this period.

**C.46** The precise nature and location of these jobs will be set by a masterplan being prepared for the North West Bicester allocation. The draft masterplan shows that about 10 hectares of employment land is required at North West Bicester. This would provide for business space for offices, workshops, factories and warehousing (B1, B2 and B8 uses), but not for retail and leisure jobs which would be located in local centres. It is estimated that approximately 1,000 B use class jobs would be located at the North West Bicester site. The remainder would be provided through other uses including home working. Some jobs are likely to be located away from the site, for example in the town centre or on other employment sites.

## North West Bicester Development Standards

**C.47** The North West Bicester Eco-Town will play a major role in delivering the strategic growth identified for Bicester during and beyond the plan period. The One Shared Vision for Eco Bicester is expected to guide the delivery of higher environmental standards while the proposals for the North West Bicester Eco-Town will act as a catalyst for the transition of the town as a whole towards a more sustainable community.

**C.48** The Vision aims to "Create a vibrant Bicester where people choose to live, work and spend their leisure time in sustainable ways..." (Eco Bicester One Shared Vision December 2010).

**C.49** Proposals for development at North West Bicester will be required to meet the eco-town development standards set out in the Eco-Towns PPS. Other sites in Bicester will be required to meet the improving building standards set at national level and District-wide standards set out in policies ESD 1-5.

**C.50** Further guidance on the approach to design and sustainable construction in Cherwell will be set out in the Sustainable Buildings in Cherwell SPD.

### **Policy Bicester 1: North West Bicester Eco-Town**

**Development Area: 390 hectares**

**Development Description: A new zero carbon<sup>(i)</sup> mixed use development including 6,000 homes will be developed on land identified at North West Bicester.**

**Planning permission will only be granted for development at North West Bicester in accordance with a comprehensive masterplan for the whole area to be approved by the Council as part of a North West Bicester Supplementary Planning Document. The Council will expect the Masterplan and applications for planning permission to meet the following requirements:**

#### **Employment**

- **Land Area** – a minimum of 10 ha, comprising business premises focused at Howes Lane and Middleton Stoney Road, employment space in the local centre hubs and as part of mixed used development
- **Jobs created** – At least 3,000 jobs (approximately 1,000 jobs on B use class land on the site) within the plan period
- **Use classes** – B1, with limited B2 and B8 uses
- It is anticipated that the business park at the South East corner of the allocation will generate between 700 and 1,000 jobs in use classes B1, B2 and B8 early in the Plan period
- **A Carbon Management Plan** shall be produced to support all applications for employment developments
- **An economic strategy** to be produced to support the planning applications for eco-town proposals demonstrating how access to work will be achieved and to deliver a minimum of one employment opportunity per new dwelling that is easily reached by walking, cycling and/or public transport

i The definition of zero carbon in eco-towns is that over a year the net carbon dioxide emissions from all energy use within the buildings on the eco-town development as a whole are zero or below.

- **Mixed use local centre hubs to include employment (B1(a), A1, A2, A3, A4, A5, C1, D1 and D2 )**
- **New non-residential buildings will be BREEAM Very Good with the capability of achieving BREEAM Excellent.**

### Housing

- **Number of homes - Up to 6,000 (3,293 to be delivered within the plan period)**
- **Affordable Housing - 30%**
- **Layout to achieve Building for Life 12 and Lifetime Homes standards**
- **Homes to be constructed to be capable of achieving a minimum of Level 5 of the Code for Sustainable Homes on completion of each phase of development, including being equipped to meet the water consumption requirement of Code Level 5**
- **The provision of extra care housing**
- **Have real time energy monitoring systems, real time public transport information and Superfast Broadband access, including next generation broadband where possible. Consideration should also be given to digital access to support assisted living and smart energy management systems.**

### Infrastructure Needs

- **Education - Sufficient secondary, primary and nursery school provision on site to meet projected needs. It is expected that four 2 Forms of Entry primary schools and one secondary school will be required. There should be a maximum walking distance of 800 metres from homes to the nearest primary school.**
- **Health - to provide for a 7 GP surgery to the south of the site and a dental surgery**
- **Burial Ground - to provide a site of a minimum of 4 ha for a burial ground which does not pose risks to water quality (this may contribute to the Green Infrastructure requirements)**
- **Green infrastructure - 40% of the total gross site area will comprise green space of which at least half will be publicly accessible and consist of a network of well managed, high quality green/open spaces which are linked to the open countryside. This should include sports pitches, parks and recreation areas, play spaces, allotments, the required burial ground (possibly a woodland cemetery) and SUDS.**
- **Planning applications shall include a range of types of green space and meet the requirements of Policy BSC11**
- **Access and Movement - proposals to include appropriate crossings of the railway line to provide access and integration across the North West Bicester site. Changes and improvements to Howes Lane and Lords Lane to facilitate integration of new development with the town.**

- **Community facilities** – to include facilities for leisure, health, social care, education, retail, arts, culture, library services, indoor and outdoor sport, play and voluntary services. The local centre hubs shall provide for a mix of uses that will include retail, employment, community and residential provision. Education, health care, community and indoor sports facilities will be encouraged to locate in local centres and opportunities for co-location will be welcomed. Provision will be proportionate to the size of the community they serve. Each neighbourhood of approximately 1,000 houses to include provision for community meeting space suitable for a range of community activities including provision for older people and young people. A site of 0.5 ha for a place of worship to be reserved for future use.
- The submission of proposals to support the setting up and operation of a financially viable **Local Management Organisation** by the new community to allow locally based long term ownership and management of facilities in perpetuity
- **Utilities** – Utilities and infrastructure which allow for zero carbon and water neutrality on the site and the consideration of sourcing waste heat from the **Ardley Energy** recovery facility. The approach shall be set out in an **Energy Strategy** and a **Water Cycle Study**. The **Water Cycle Study** shall cover water efficiency and demand management, water quality and how it will be protected and improved, **WFD** compliance, surface water management to avoid increasing flood risk and water services infrastructure improvement requirements and their delivery, having regard to the **Environment Agency's** guidance on **Water Cycle Studies**. **Zero Carbon** (see **PPS** definition) water neutral development is sought. Development proposals will demonstrate how these requirements will be met.
- **Waste Infrastructure** – The provision of facilities to reduce waste to include at least 1 bring site per 1,000 dwellings positioned in accessible locations. Provision for sustainable management of waste both during construction and in occupation shall be provided. A waste strategy with targets above national standards and which facilitates waste reduction shall accompany planning applications.

#### **Monitoring**

- Embodied impacts of construction to be monitored, managed and minimised (ET21)
- Sustainability metrics, including those on zero carbon, transport, water and waste to be agreed and monitored for learning, good governance and dissemination (ET22).

#### **Key site specific design and place shaping principles**

- Proposals should comply with **Policy ESD15**.



- **High quality exemplary development and design standards including zero carbon development, Code Level 5 for dwellings at a minimum and the use of low embodied carbon in construction materials, as well as promoting the use of locally sourced materials.**
- **All new buildings designed to incorporate best practice on tackling overheating, taking account of the latest UKCIP climate predictions.**
- **Proposals should enable residents to easily reduce their carbon footprint to a low level and live low carbon lifestyles.**
- **Layout of development that enables a high degree of integration and connectivity between new and existing communities.**
- **A layout that maximises the potential for walkable neighbourhoods.**
- **New footpaths and cycleways should be provided that link with existing networks, the wider urban area and community facilities with a legible hierarchy of routes to encourage sustainable modes of travel**
- **A layout which makes provision for and prioritises non-car modes and encourages a modal shift from car use to other forms of travel.**
- **Infrastructure to support sustainable modes of transport will be required including enhancement of footpath and cyclepath connectivity with the town centre, employment and rail stations. Measures to ensure the integration of the development with the remainder of the town including measures to address movement across Howes Lane and Lords Lane**
- **A well designed approach to the urban edge, which relates development at the periphery to its rural setting and affords good access to the countryside, minimising the impact of development when viewed from the surrounding countryside**
- **Development that respects the landscape setting and that demonstrates enhancement, restoration or creation of wildlife corridors to achieve a net gain in biodiversity**
- **Consideration should be given to maintaining visual separation with outlying settlements. Connections with the wider landscape should be reinforced and opportunities for recreational use of the open countryside identified. Development proposals to be accompanied and influenced by a landscape/visual and heritage impact assessment**
- **Careful consideration of open space and structural planting around the site to achieve an overall improvement in the landscape and visual impact of the site**
- **No development in areas of flood risk and development set back from watercourses which would provide opportunity for green buffers. Proposals should include a Flood Risk Assessment.**
- **Maximisation of the sustainable transport connectivity in and around the site**
- **Consideration and mitigation of any noise impacts of the railway line.**
- **Good accessibility to public transport services should be provided for, including the provision of a bus route through the site with buses stopping at the railway stations and at new bus stops on the site**

- **Contributions to improvements to the surrounding road networks, including mitigation measures for the local and strategic highway network, consistent with the requirement of the Eco-Towns PPS to reduce reliance on the private car, and to achieve a high level of accessibility to public transport services, improvements to facilities for pedestrians and cyclists and the provision and implementation of a Travel Plan to maximise connectivity with existing development**
- **Provision of a Transport Assessment**
- **Measures to prevent vehicular traffic adversely affecting surrounding communities.**
- **Significant green infrastructure provision, including new footpaths and cycleways, enhancing green modal accessibility beyond the site to the town centre and Bicester Village Railway Station, and adjoining developments. Public open space to form a well connected network of green areas suitable for formal and informal recreation**
- **Preservation and enhancement of habitats and species on site, particularly protected species and habitats and creation and management of new habitats to achieve an overall net gain in biodiversity including the creation of a local nature reserve and linkages with existing BAP habitats**
- **Sensitive management of open space provision to secure recreation and health benefits alongside biodiversity gains.**
- **A Landscape and Habitats Management Plan to be provided to manage habitats on site and to ensure this is integral to wider landscape management.**
- **Careful design of employment units on site to limit adverse visual impact and ensure compatibility with surrounding development**
- **The provision of public art to enhance the quality of the place, legibility and identity**
- **The retention and respect for important existing buildings and heritage assets with a layout to incorporate these and consideration of Grade II listed buildings outside the site**
- **Take account of the Council's Strategic Flood Risk Assessment for the site**
- **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.**
- **Undertake a staged programme of archaeological investigation.**

- Check the growth of Oxford and prevent ribbon development and urban sprawl
- Prevent the coalescence of settlements
- Assist in safeguarding the countryside from encroachment
- Assist in urban regeneration, by encouraging the recycling of derelict and other urban land.

Development proposals within the Green Belt will be assessed in accordance with government guidance contained in the NPPF and NPPG. Development within the Green Belt will only be permitted if it maintains the Green Belt's openness and does not conflict with the purposes of the Green Belt or harm its visual amenities. Proposals for residential development will also be assessed against Policies Villages 1 and Villages 3.

A small scale local review of the Green Belt boundary in the vicinity of Langford Lane, Kidlington and Begbroke Science Park will be undertaken as part of the Local Plan Part 2, in order to accommodate employment needs (see Policy Kidlington 1). Further small scale local review of the Green Belt boundary will only be undertaken where exceptional circumstances can be demonstrated.

## Policy ESD 15: The Character of the Built and Historic Environment

**B.261** Conservation of the historic environment and securing high quality urban design are very important in protecting and enhancing the character of the District and ensuring that Cherwell is an attractive place to live and work. Cherwell District is composed of four landscape character areas, which each display distinct, settlement patterns, building materials and styles of vernacular architecture to create a rural environment that is strongly locally distinctive. Each of the three urban areas also displays its own unique character.



**B.262** The following features contribute to the distinctive character, appearance and high quality environment of Cherwell District:

- over 2,200 listed buildings and many others of local architectural and historical interest.
- currently 60 conservation areas

- 36 Scheduled Ancient Monuments
- 5 registered Historic Parks and Gardens and a Historic Battlefield, and 6 Historic Parks and Gardens considered as non-designated heritage assets
- three urban centres: Banbury, Bicester and Kidlington – with quite distinct characters, retaining their medieval street patterns
- the Oxford Green Belt (see 'Policy ESD 14: Oxford Green Belt')
- the Cotswolds Area of Outstanding Natural Beauty in the north-west of the District (see 'Policy ESD 12: Cotswolds Area of Outstanding Natural Beauty (AONB)')
- the District's waterways, in particular the River Cherwell and the Oxford Canal
- sites of ecological importance including 18 Special Areas for Conservation (see 'Policy ESD 9: Protection of the Oxford Meadows SAC') and Sites of Special Scientific Interest (SSSIs).

**B.263** We will protect our historic environment; it is a major resource contributing to the local distinctiveness of the District. Conservation Areas and other heritage assets (including both designated and undesignated assets) form part of the historic fabric of the District and contribute to the character of the area and will be maintained. We will protect our Conservation Areas and other heritage assets from harmful growth as these help to define how the area looks and feels, both in the towns and villages. The Council has a rolling programme of Conservation Area

Appraisals and review. We will maintain a local register of Buildings at Risk and use Article 4 Directions to maintain the character of our historic villages and towns. A Register of non-designated heritage assets is also being compiled. Further information on these measures is contained in the Design and Conservation Strategy for Cherwell.

**B.264** The Council will protect and enhance the special value of these features individually and the wider environment that they create. The strategic policy on landscape protection can be found under 'Policy ESD 13: Local Landscape Protection and Enhancement'. It is also important, however, to provide a framework for considering the quality of built development and to ensure that we achieve locally distinctive design which reflects and respects the urban or rural landscape and built context within which it sits.

**B.265** We will ensure that the new developments, area renewal and town centre expansions are safe places to live, work and visit through design standards by using tools such as 'secured by design', also through requiring CCTV where appropriate.

**B.266** Design standards for new development whether housing or commercial development are equally important. High design standards are critical in the town and village centres where Conservation Areas exist, but more generally in ensuring development is appropriate and secures a strong sense of place and clear sense of arrival at points of entry into the towns and villages. Particular sensitivity is required where development abuts or takes place within designated Conservation Areas.

**B.267** It is also important to take into account heritage assets located outside of the District which may be affected by development inside the District such as Blenheim Palace, a World Heritage Site.

### **Policy ESD 15: 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 recognisable 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 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.**

**B.268** The appearance of new development and its relationship with its surrounding built and natural environment has a significant effect on the character and appearance of an area. Securing new development that can positively contribute to the character of its local environment is therefore of key importance. This policy identifies a number of key issues that need to be addressed in the design of new development.

**B.269** These issues are as relevant in urban areas as in rural locations and also in recent development as in historic areas. The policy seeks to protect, sustain and enhance designated and non-designated 'heritage assets'. The NPPF defines these as 'A building, monument, site, place, area or landscape identified as having a degree of significance meriting consideration in planning decisions, because of its heritage interest'. Heritage assets with archaeological interest will require the submission of relevant assessment. In sensitive locations severe constraints may direct the design approach, but in many cases the Council will not wish to prescribe a specific design solution. Designs need to be sensitive and complimentary to their surroundings but this does not require merely replicating existing styles and imitating architectural details; modern interpretation is possible if informed by a full contextual analysis and proposals promote and reinforce local distinctiveness.

**B.270** Our urban areas will see significant growth during the period of the Local Plan, and will need to adapt and respond to these pressures both within their existing boundaries and beyond, while retaining their unique character and heritage. A balance will need to be struck between making best use of land and respecting established urban character and creating new and vibrant sustainable neighbourhoods. Applicants should also have regard to national guidance and best practice advice on design, including on public space, street design, trees in the street scene, public buildings, housing, work environments inclusive design, tall buildings and eco-towns, e.g. guidance published by the Commission for Architecture and the Built Environment CABI (now merged with the Design Council). English Heritage has also published much guidance on integration of development into the historic environment. Applicants will also need to have regard to policies from Oxfordshire County Council, such as the Parking Policy.

**B.271** Our rural areas will need to accommodate new development which reinforces the locally distinctive character by being sensitive in its location, scale, materials and design, reflecting the traditional pattern of development within the settlement, balancing making best use of land with respect for the established character and respecting open features that make a positive contribution. A large proportion of rural settlements fall within conservation areas,

- create new opportunities for additional retail, leisure and cultural activities, and environmental improvements, in an extended Village Centre
- secure the growth potential from the presence of London-Oxford Airport.

**B.36** Employment growth in the rural areas will be limited and will involve:

- farm diversification schemes
- small scale, appropriate employment sites
- sustainable growth in tourism including recreation based tourism
- improvement of existing employment sites and reuse of existing buildings and brownfield sites (reflecting their historic or cultural significance where appropriate)
- support for working from home.

**B.37** More detail is provided in Section C 'Policies for Cherwell's Places'.

## Policy SLE 1: Employment Development

**B.38** The Council will, as a general principle, continue to protect existing employment land and buildings for employment (B class) uses. The Council will support existing businesses and will seek to ensure their operational activity is not compromised wherever possible. Inevitably, over the period of the Local Plan, businesses will relocate or close, leaving land and premises available for re-use or re-development.



**B.39** Where existing employment sites have good transport links for commercial vehicles and the proposed use of these sites accords with the Local Plan we will encourage new development here to ensure the efficient use of land on these sites and in our towns, avoiding the need to use valuable countryside. This will not always meet the needs of some companies so new sites will be required.

**B.40** We will create new employment sites for commerce and engineering/manufacturing to meet the needs of existing and new companies. We will also actively promote those sites for inward investment.

**B.41** To promote growth we have allocated an increase in the amount of employment land in the District. This is focused more at Bicester in order to match the growth in housing and make the town more sustainable.

**B.42** A flexible approach to employment development is set out in this Plan with a number of our strategic sites allocated for a mix of uses and many allowing for different types of employment. Employment development will be supported in a number of locations as long as it meets certain policy criteria. In all cases very careful consideration should be given to locating employment and housing in close proximity and unacceptable adverse effects on the



amenity of residential properties will not be permitted. Live/work units will be encouraged in locations such as Banbury Canalside.

**B.43** This Local Plan identifies strategic sites for employment use in Banbury and Bicester (see 'Policy Bicester 1: North West Bicester', 'Policy Bicester 2: Graven Hill', 'Policy Bicester 4: Bicester Business Park', 'Policy Bicester 10: Bicester Gateway', 'Policy Bicester 11: Employment Land at North East Bicester', 'Policy Bicester 12: South East Bicester', 'Policy Banbury 6: Employment Land West of the M40' and 'Policy Banbury 15: Employment Land North East of Junction 11'). A number of these sites have recent planning permissions and are under construction. The former RAF Upper Heyford site will also provide for employment uses. The sites identified in the Employment Trajectory in the Local Plan cover 200 hectares (gross) and result in approximately 20,500 jobs generated on B Use class land. There may be a slight change in jobs on sites due to site constraints such as flood risk and differing B use class mixes, which will be determined at the master planning stage. Further jobs will be generated generally through other means such retail and home working. Policies seek different types of employment units to ensure a range of employment uses are provided. Land is allocated taking account of economic evidence base, matching growth in housing and to cater for company demand, particularly for logistics. The Council's assessment of and strategies for housing, employment and other uses are integrated, and take full account of relevant market and economic signals.

**B.44** To ensure employment is located in sustainable locations, to avoid problems such as traffic on rural roads and commuting, employment development in the rural areas will be limited. This accords with the

Council's strategy for focusing new housing development at Banbury and Bicester, ensuring housing and employment are located in the same place.

**B.45** The new strategic employment sites set out in Section C 'Policies for Cherwell's Places' have been allocated because they:

- are, or will be accessible to the existing and proposed labour supply
- have good access, or can be made to have good access, by public transport
- have good access and transport links for commercial vehicles
- have the least effect on the natural environment.

**B.46** The new allocated employment sites in Banbury and Bicester along with existing employment sites are considered to ensure a sufficient employment land supply.

**B.47** The Local Plan Part 2 will consider where further, smaller, allocations need to be made in the urban and rural areas to support the delivery of a flexible supply of employment land. Where new small sites are proposed we will consider the most appropriate use class for the location. Opportunities for developing small 'hubs' of activity to meet local needs will be explored. New employment uses will be supported where appropriate in residential areas, where they are proposed on existing employment sites. Employment development will be focused at the more sustainable villages. These villages are also considered to be the most appropriate for any further employment development.

**B.48** Policy SLE 1 applies to B use class employment development. The provision or the loss of jobs in general terms will be a material consideration for determining proposals for any use classes. The policy applies to sites which have planning permission for employment uses. Where

any allocated or committed employment sites in the District remain undeveloped in the long term and there is no reasonable prospect of the site being used for that purpose other uses will be considered. Policy SLE 2 will apply for proposals for main town centre uses.

### **Policy SLE 1: Employment Development**

**Employment development on new sites allocated in this Plan will be the type of employment development specified within each site policy in Section C 'Policies for Cherwell's Places'. Other types of employment development (B Use class) will be considered in conjunction with the use(s) set out if it makes the site viable.**

**In cases where planning permission is required existing employment sites should be retained for employment use unless the following criteria are met:**

- **the applicant can demonstrate that an employment use should not be retained, including showing the site has been marketed and has been vacant in the long term.**
- **the applicant can demonstrate that there are valid reasons why the use of the site for the existing or another employment use is not economically viable.**
- **the applicant can demonstrate that the proposal would not have the effect of limiting the amount of land available for employment.**

**Regard will be had to whether the location and nature of the present employment activity has an unacceptable adverse impact upon adjacent residential uses.**

**Regard will be had to whether the applicant can demonstrate that there are other planning objectives that would outweigh the value of retaining the site in an employment use.**

**Employment development will be focused on existing employment sites. On existing operational or vacant employment sites at Banbury, Bicester, Kidlington and in the rural areas employment development, including intensification, will be permitted subject to compliance with other policies in the Plan and other material considerations. New dwellings will not be permitted within employment sites except where this is in accordance with specific site proposals set out in this Local Plan.**

**Employment proposals at Banbury, Bicester and Kidlington will be supported if they meet the following criteria:**

- **Are within the built up limits of the settlement unless on an allocated site**
- **They will be outside of the Green Belt, unless very special circumstances can be demonstrated**
- **Make efficient use of previously-developed land wherever possible**
- **Make efficient use of existing and underused sites and premises increasing the intensity of use on sites**
- **Have good access, or can be made to have good access, by public transport and other sustainable modes**
- **Meet high design standards, using sustainable construction, are of an appropriate scale and respect the character of its surroundings**
- **Do not have an adverse effect on surrounding land uses, residents and the historic and natural environment.**

**Unless exceptional circumstances are demonstrated, employment development in the rural areas should be located within or on the edge of those villages in Category A (see Policy Villages I).**

**New employment proposals within rural areas on non-allocated sites will be supported if they meet the following criteria:**

- **They will be outside of the Green Belt, unless very special circumstances can be demonstrated.**
- **Sufficient justification is provided to demonstrate why the development should be located in the rural area on a non-allocated site.**
- **They will be designed to very high standards using sustainable construction, and be of an appropriate scale and respect the character of villages and the surroundings.**
- **They will be small scale unless it can be demonstrated that there will be no significant adverse impacts on the character of a village or surrounding environment.**
- **The proposal and any associated employment activities can be carried out without undue detriment to residential amenity, the highway network, village character and its setting, the appearance and character of the landscape and the environment generally including on any designated buildings or features (or on any non-designated buildings or features of local importance).**
- **The proposal will not give rise to excessive or inappropriate traffic and will wherever possible contribute to the general aim of reducing the need to travel by private car.**
- **There are no suitable available plots or premises within existing nearby employment sites in the rural areas.**

**The Local Plan has an urban focus. With the potential for increased travel by private car by workers and other environmental impacts, justification for employment development on new sites in the rural areas will need to be provided. This should include an applicant demonstrating a need for and benefits of employment in the particular location proposed and explaining why the proposed development should not be located at the towns, close to the proposed labour supply.**

**Monitoring and review will be undertaken regularly.**

**Extensions to existing employment sites will be considered in the Local Plan Part 2.**

## **Policy SLE 2: Securing Dynamic Town Centres**

**B.49** We are looking to ensure that Bicester and Banbury have a strengthened role in achieving economic growth, as a destination for visitors, and in serving their rural hinterlands.



**B.50** We are determined to secure dynamic town centres as the focus for commercial, retail and cultural activity at the heart of our District. The renewal and strengthening of the town centres is critical if the towns are to expand, with the creation of new retail, commercial and other employment generation (such as leisure) that reduces the

overall level of out-commuting and maintains their role as the focal points of the District economy and their historic role as the heart of the community.

**B.51** We envisage town centres that are:

- easy and pleasant to walk around
- attractive for shopping and going out
- easy to do business in
- have housing for all ages
- served by efficient public transport.

**B.52** The increasing rationalisation of public assets (libraries, civic centres & public access points), is an opportunity to ensure multiple use of public sector buildings and so strengthen their role as a draw to secure additional footfall into the town centres.

**B.53** In 2010 the Council commissioned an update to its 2006 PPS6 Retail Study. In 2012 a further study was commissioned which examines the capacity for comparison and convenience retail floorspace in the District. The study identified a need for comparison



## Appendix 6

### REFERENCED CLP 1996 POLICY

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(i) THAT NEW HOUSING DEVELOPMENT IS COMPATIBLE WITH THE APPEARANCE, CHARACTER, LAYOUT, SCALE AND DENSITY OF EXISTING DWELLINGS IN THE VICINITY;

(ii) THAT ANY PROPOSAL TO EXTEND AN EXISTING DWELLING (IN CASES WHERE PLANNING PERMISSION IS REQUIRED) IS COMPATIBLE WITH THE SCALE OF THE EXISTING DWELLING, ITS CURTILAGE AND THE CHARACTER OF THE STREET SCENE;

(iii) THAT NEW HOUSING DEVELOPMENT OR ANY PROPOSAL FOR THE EXTENSION (IN CASES WHERE PLANNING PERMISSION IS REQUIRED) OR CONVERSION OF AN EXISTING DWELLING PROVIDES STANDARDS OF AMENITY AND PRIVACY ACCEPTABLE TO THE LOCAL PLANNING AUTHORITY.

9.69 The Council wishes to secure environmental enhancement through new development. Proposals that would detract from the character of an area owing to obviously poor design will be resisted. Similarly proposals that would change the established character of an area, by, for example, introducing high-density housing development where low densities predominate, will normally be unacceptable. The design and layout of new development can also assist with crime prevention and the Council will have regard to the advice in Circular 5/94 'Planning Out Crime' and 'Secured by Design' initiative. The assistance of the Thames Valley Policy Architectural Liaison Officer will be sought in this context.

C31 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.

9.70 The Council wishes to ensure that new development, including changes of use, does not prejudice the environment of the areas concerned. The above policy seeks to prevent the introduction of incompatible non-residential uses in residential areas.

C32 IN CONSIDERING PROPOSALS FOR DEVELOPMENT THE COUNCIL WILL SUPPORT MEASURES THAT PROVIDE, IMPROVE OR EXTEND ACCESS FACILITIES FOR DISABLED PEOPLE.

9.71 A large number of people in the District have difficulty in terms of mobility and access. Disabilities often confine people to wheelchairs but there are many others who are not so confined but who still have a mobility impairment. Examples include those with heart conditions or breathing difficulties, those with hearing or sight impairments, parents with infants in pushchairs or prams, and the elderly generally. There are also those with temporary impairments including those with broken limbs and pregnant women.

9.72 The Council is committed to creating an environment with fewer potential hazards for the disabled and where equal opportunities for access exist for all sections of the population. The main statutory means of control is through Part M of the Building Regulations which applies to most new buildings and major extensions, both to the inside of those buildings and the approaches to them, and to staff as well as visitors. Housing is not yet included but the government is reviewing this (see Housing Chapter). The Council will also use its powers under other legislation, including the planning acts, to seek to provide for the needs of the disabled outside buildings, including pedestrianisation schemes (see the Chapter on Town Centres and Local Shopping). The plan contains many other references in particular chapters where the needs of the disabled are considered in more detail.

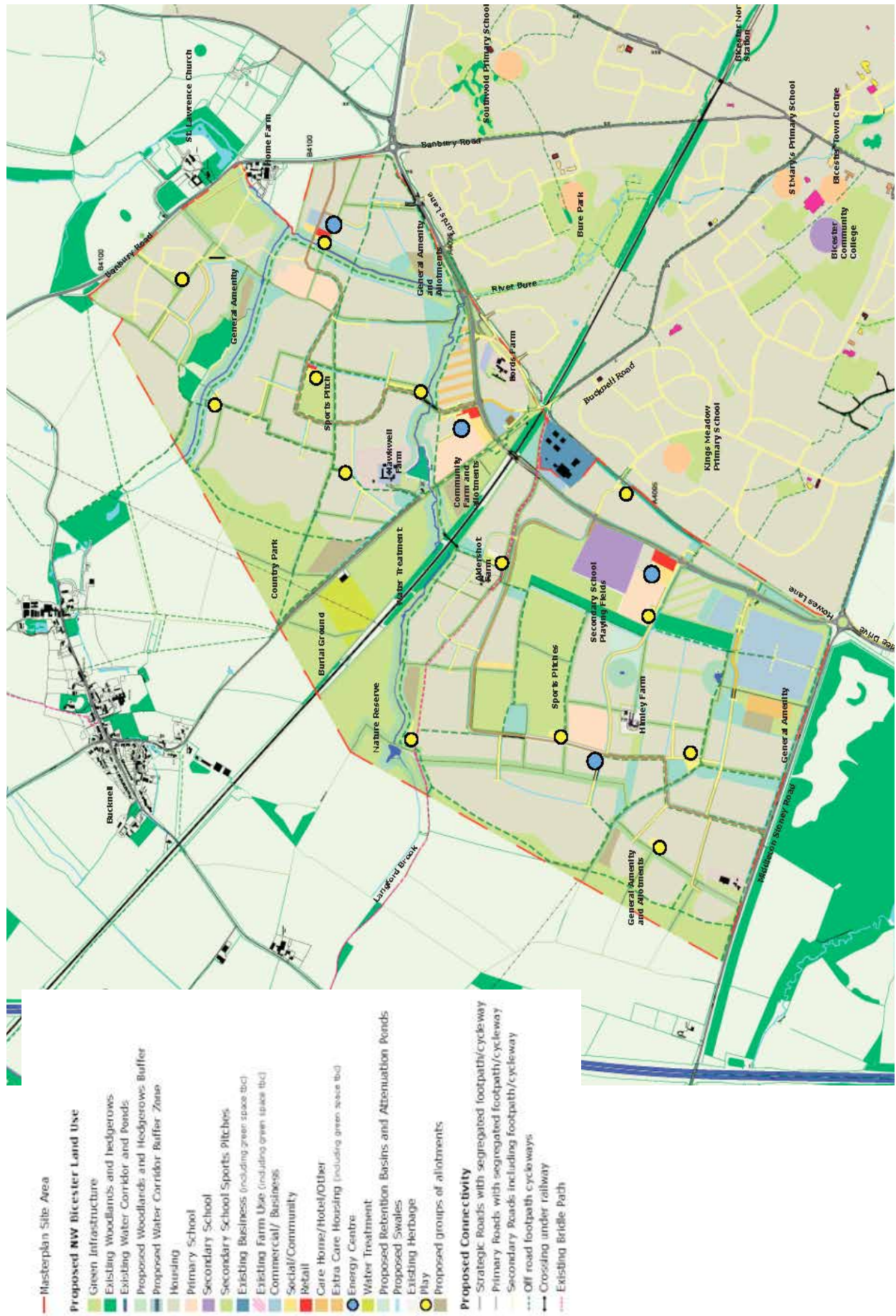


## Appendix 7

### **NORTH WEST BICESTER MASTERPLAN**

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Figure 10: North West Bicester Masterplan – Masterplan Framework







## Appendix 8

### RESIDENTIAL VIABILITY REPORT

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Quod

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# Residential Viability Report

Axis J9, Bicester

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September 2022

Q220678

# Contents

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# 1 Executive Summary

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- 1.1 This report has been prepared by Quod on behalf of Albion Land (“the Appellant”). The report assesses the viability of a consented residential development at the site known as Axis J9 Phase 3, Howes Lane, Bicester (application reference 21/03177/F).
- 1.2 Residential-led development on green field land within the Bicester area as a whole has been demonstrated to be viable by Cherwell District Council’s (“the Council’s”) local plan evidence base, this includes the recent July 2022 Local Plan Viability Pre-Consultation exercise. However, this general viability work excludes site-specific abnormals and the costs of compliance with sustainability standards in excess of national policy requirements.
- 1.3 The Axis J9 Phase 3 site differs from generic typology-based viability testing for two key reasons:
  - Highways abnormals – an element of the strategic road network and a road junction must be constructed.
  - Sustainability requirements – the Eco Town allocation requires “true” net zero carbon performance and a range of other sustainability features.
- 1.4 Incorporating site-specific costs, the Residual Land Value (RLV) of the residential development represents a substantial deficit to the Benchmark Land Value. The deficit ranges from £18.5m adopting the inputs evidenced by the Appellant’s professional team to £11.5m adopting inputs from the Council’s recent local plan viability engagement. Where affordable housing is reduced from 30% to 0% a deficit of £8.7m remains. Sensitivity testing also indicates a deficit in all scenarios.
- 1.5 Given the viability deficit indicated above, there is no reasonable prospect of the residential development being delivered. Whilst the viability position means that a residential scheme cannot come forward, the employment use Application Scheme is deliverable, with an owner-developer in Albion Land willing and ready to commence works. The Application Scheme therefore offers a route to optimise use of the site and generate substantial local economic benefits. As such, and in line with relevant policy, flexibility should be exercised and the Application Scheme supported in preference to the undeliverable residential permission.

## 2 Introduction and Purpose of Report

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- 2.1 This report has been prepared in relation to the planning application (“the Application”) for commercial development at the site known as Axis J9 Phase 3, Howes Lane, Bicester (application reference 21/03177/F).
- 2.2 The Appellant, Albion Land, has the required funding and technical expertise to deliver the proposed commercial development, building on the success of its earlier development immediately to the South of the site. This report assesses whether there is any reasonable prospect of an alternative residential-led development coming forward, aligned to the North West Bicester SPD and extant planning permission.
- 2.3 This report supplements the Quod Statement of Case dated September 2022 and avoids repetition of basic site and policy details within that report.

## 3 Site and Viability Context

3.1 The site forms part of the wider North West Bicester masterplan and, via application reference 20/03199/OUT, has outline planning permission for up to 150 dwellings. Having regard to the requirements of the masterplan permission, a reasonable mix of dwelling types and tenures for the 150 dwellings has been developed and is provided at Table 3.1 below.

*Table 3.1 – Accommodation Schedule*

Unit Type	Number of Units	Tenure	Unit Area (sqft)
1B2P Flat	6	Private	538
2B3P Flat	6	Private	753
2B4P Terrace	30	Private	796
3BSP Terrace	30	Private	947
3B5P Detached	10	Private	1,076
4B6P Detached	5	Private	1,194
4B6P Terrace	5	Private	1,388
5B7P Detached	13	Private	1,840
1B2P Flat	3	Affordable Rent	538
2B3P Flat	3	Affordable Rent	753
2B4P Bungalow	3	Affordable Rent	893
2B3P Terrace	10	Affordable Rent	753
3B4P Terrace	10	Affordable Rent	947
4B6P Terrace	2	Affordable Rent	1,291
1B2P Flat	2	Shared Ownership	538

2B3P Flat	2	Shared Ownership	753
2B4P Terrace	5	Shared Ownership	796
3B5P Terrace	5	Shared Ownership	1,076
<b>Total</b>	<b>150</b>		

- 3.2 Since grant of the outline permission referred to above the Appellant has sought to identify a viable scheme, working with cost consultants and sales agents to optimise inputs to its development appraisal. To date all options assessed have indicated a substantial deficit, meaning it has not been possible to fund and deliver the scheme. Informal engagement with other potential developers of a residential scheme at the site has also failed to secure any interest in taking forward the extant permission.
- 3.3 The viability challenges of the site have largely related to exceptionally high build cost estimates, arising from the zero carbon and wider sustainability requirements of the Eco Town.

## 4 Policy and Guidance

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### National Policy

- 4.1 The National Planning Policy Framework (NPPF) (July 2021) makes clear that the planning system should be instrumental in achieving sustainable development by helping to *“build a strong, responsive and competitive economy, by ensuring that sufficient land of the right types is available in the right places and at the right time to support growth, innovation and improved productivity”* (paragraph 8a).
- 4.2 Local Plans should be prepared in a way that is *“aspirational but deliverable”* (paragraph 16). To be considered deliverable, sites for housing should *“be available now, and be achievable with a realistic prospect that housing will be delivered on the site within five years”*. Where a site does not have permission, *“it should only be considered deliverable where there is clear evidence that housing completions will begin on site within five years”* (page 66).
- 4.3 The NPPF states that planning policies and decisions need to reflect changes in the demand for land. Where there is considered to be no prospect of an application coming forward for the allocated use, the land should be re-allocated as part of a review or applications for alternative uses on the site should be supported in the interim (paragraph 122).
- 4.4 The NPPF recognises that there are circumstances that justify the need for a viability assessment at the application stage, and the decision maker should have regard to the circumstances in the case (paragraph 58).
- 4.5 The National Planning Practice Guidance (NPPG) contains guidance on viability. This includes the Government’s recommended approach to standardised inputs to viability assessments including gross development value, costs and benchmark land value (paragraphs 10-19).
- 4.6 In summary, the NPPF places substantial weight on the delivery of both housing *and* economic growth in achieving sustainable development. The Framework makes clear that land should be used to support housing or economic growth priorities and that viability is critical to establishing deliverability of proposals.

### Local Policy

- 4.7 The Cherwell Local Plan 2011-2031 sets a strategic aim (SO 8) to create a reliable supply of new homes to meet identified need by ensuring the viability of housing development. Policy BSC 3 and supporting text recognises that, whilst the local plan viability study identified broad viability across the area, individual sites may have specific challenges which mean this is not the case. Where viability is a concern open book viability assessments are to be supplied by applicants in a residual land value format.
- 4.8 The North West Bicester SPD (2016) sets out the specific requirements for homes within the Eco Town, including the “True” zero carbon requirements. The Developer Contributions SPD (2018) sets out the process for undertaking viability assessments, aligned to national guidance and recognising the need to take account of scheme-specific details.



## 5 Viability Appraisal Approach and Outputs

- 5.1 An assessment of the viability of the residential development within the extant planning permission has been undertaken in line with relevant policy and guidance. The approach taken is to assess the Residual Land Value (RLV) generated by the scheme and compare this to a Benchmark Land Value (BLV). Where the RLV falls below the BLV and this would continue to be the case within a reasonable range of sensitivities the development would not be considered to be viable and deliverable.
- 5.2 The appraisals have been prepared using Argus Developer Software which is an industry standard approach for schemes of this nature. To ensure a robust assessment of viability a range of inputs have been tested:
- Appellant Evidence Base – adopting the inputs developed by the Appellant’s cost consultant and sales value advisor combined with reasonable market allowances for other inputs, aligned to a scheme of this scale and nature.
  - Council July 2022 Local Plan Pre-Consultation Draft – adopting inputs from the viability information shared with developers as part of the Council’s local plan consultation process. The only input not adopted from the Council’s schedule is the build cost allowance for “true” zero carbon as this was excluded from the viability testing presented.
  - Council July 2022 Local Plan Pre-Consultation Draft, Nil Affordable Housing – as above but testing a scheme with nil affordable housing rather than the 30% required under the extant permission. This approach maximises viability and therefore indicates a “bookend” of the most optimistic possible financial position of the scheme.
- 5.3 In addition to the above, the viability inputs supporting the Council’s 2016 Community Infrastructure Levy Viability Study Update were also tested, with indexation applied to bring these to the current day. The appraisal results indicated a greater deficit than the 2022 Local Plan Viability Pre-Consultation and are therefore not presented below for brevity.

### Summary of Inputs

- 5.4 Table 5.1 indicates the values, costs and areas adopted for the three appraisal versions.

*Table 5.1 – Inputs and Assumptions*

Item	Appellant Evidence Base, 30% Affordable Homes	Council July 2022 Local Plan Viability Pre-Consultation Draft, Nil Affordable	Council July 2022 Local Plan Viability Pre-Consultation Draft, 30% Affordable Homes
Area			
Private Residential	107,626 /ft2 NIA / 105 homes	145,702 /ft2 NIA / 150 homes	107,626 /ft2 NIA / 105 homes

Item	Appellant Evidence Base, 30% Affordable Homes	Council July 2022 Local Plan Viability Pre- Consultation Draft, Nil Affordable	Council July 2022 Local Plan Viability Pre-Consultation Draft, 30% Affordable Homes
Affordable Rent	26,135 /ft2 NIA / 31 homes	-	26,135 /ft2 NIA / 31 homes
Shared Ownership	11,942 /ft2 / 14 homes	-	11,942 /ft2 / 14 homes
<b>Revenue</b>			
Private Sale	£370.00 /ft2	£409.00 /ft2	£409.00 /ft2
Affordable Rent	£185.00 /ft2	-	£242.00 /ft2
Shared Ownership	£259.00 /ft2	-	£286.00 /ft2
<b>Construction Cost</b>			
Private Sale	£289.40 /ft2 (inclusive of net zero additions)		
Affordable Rent			
Shared Ownership			
<b>Other Costs</b>			
Contingency	5.00%	5.00%	5.00%
Abnormal Costs	£1,200,000	£1,200,000	£1,200,000
Professional Fees	8.00%	8.00%	8.00%
S106	£3,827,000	£15,000 /unit	£15,000 /unit
<b>Marketing and Disposal</b>			
Marketing	1.50%	1.50%	1.50%
Sales Agent Fee	1.00%	1.00%	1.00%
Sales Legal Fee	0.50%	0.50%	0.50%
<b>Developer Return</b>			
Private	17.5% of GDV	17.5% of GDV	17.5% of GDV
Affordable	6% of GDV	6% of GDV	6% of GDV
<b>Land and Finance</b>			
Finance Rate	6.50% per annum	6.50% per annum	6.50% per annum

- 5.5 Evidence supporting the Appellant's sales value inputs is provided at Appendix A. The Abnormal costs of £1.2m are made up of:
- An element of the strategic road network for the masterplan which is to be delivered directly within the site (£0.7m).
  - Section 278 costs for the new junction required at Howes Lane (£0.5m).
- 5.6 The Section 106 costs of £3.8m are based on the requirements of the permission, set out in detail at Table 5.2.

*Table 5.2 – S106 and Abnormal Costs*

Category	Cost
Health	£249.46 / dwelling
Police	£143.13 / dwelling
Community Facilities	£775.12 / dwelling
Leisure Centre	£498.48 / dwelling
Sports Pitches	£227.68 / dwelling
Sport Pitches Maintenance	£250.35 / dwelling
Burial Ground	£10.06 / dwelling
Biodiversity Offset	£8,944.46 fixed
Community Management Organisation	£1,811.93 / dwelling
Public Art	£184.45 / dwelling
Bus Services	£134,475 fixed
Bus Infrastructure	£19,460 fixed
PROW	£2,846 fixed
Travel Plan monitoring	£1,309 fixed

## Benchmark Land Value

- 5.7 The Council's July 2022 Local Plan Viability Pre-Consultation Draft indicates a Benchmark Land Value (BLV) of £425,000/ha for greenfield sites. Applying this to the site area of approximately 6.2ha results in a BLV of £2.6m. Whilst this is considered to be at the lower end of the range for sites of a similar scale and nature it has been adopted for testing purposes.

## Appraisal Outputs

- 5.8 Table 5.3 below summarises the outputs of the three appraisals, with full appraisal details provided at Appendix B.

Table 5.3 – Appraisal Output Summary

Assumption	Appellant Evidence Base, 30% Affordable Homes	Council July 2022 Local Plan Viability Pre-Consultation Draft, Nil Affordable	Council July 2022 Local Plan Viability Pre-Consultation Draft, 30% Affordable Homes
Gross Development Value	£47,749,388	£59,592,118	£53,758,874
Construction Costs	£43,193,601	£43,193,601	£43,193,601
Contingency	£2,159,680	£2,159,680	£2,159,680
Abnormal Costs	£1,200,000	£1,200,000	£1,200,000
S106	£3,827,000	£2,250,000	£1,575,000
Professional Fees	£3,455,488	£3,455,488	£3,455,488
Marketing, Letting and Sales	£1,313,565	£1,787,764	£1,466,669
Finance	£1,016,996	£1,235,507	£1,296,176
Total Costs	£40,305,260	£49,163,497	£45,469,259
Profit	£7,444,128	£10,428,621	£8,289,615
<b>Residual Land Value (RLV)</b>	<b>-£15,861,070</b>	<b>-£6,118,542</b>	<b>-£8,877,355</b>
Benchmark Land Value (BLV)	£2,635,000	£2,635,000	£2,635,000
<b>Surplus / Deficit Against BLV</b>	<b>-£18,496,070</b>	<b>-£8,753,542</b>	<b>-£11,512,355</b>

5.9 In line with relevant guidance, a sensitivity test has been undertaken to identify the surplus / deficit within a reasonable range of input assumptions. Table 5.4 indicates the surplus / deficit adopting the Appellant Evidence Base model and applying +/- 5% and 10% to build costs and sales revenues.

Table 5.4 – RLV Sensitivity Output (Surplus / Deficit)

Sales Rate £/ft2	Build Rate £/ft2				
	-10%	-5%	+0%	+5%	+10%
-10%	-£15.4m (-£18.1m)	-£17.2m (-£19.8m)	-£19.0m (-£21.6m)	-£20.7m (-£23.4m)	-£22.5m (-£25.2m)
-5%	-£13.9m (-£16.5m)	-£15.6m (-£18.3m)	-£17.4m (-£20.1m)	-£19.2m (-£21.8m)	-£21.0m (-£23.6m)
0%	-£12.3m (-£15.0m)	-£14.1m (-£16.7m)	-£15.9m (-£18.5m)	-£17.6m (-£20.3m)	-£19.4m (-£22.0m)
+5%	-£10.8m (-£13.4m)	-£12.5m (-£15.2m)	-£14.3m (-£16.9m)	-£16.1m (-£18.7m)	-£17.8m (-£20.5m)
+10%	-£9.2m (-£11.9m)	-£11.0m (-£13.6m)	-£12.8m (-£15.4m)	-£14.5m (-£17.2m)	-£16.3m (-£18.9m)

5.10 As indicated in Table 5.4 above, a substantial deficit against the BLV remains in all sensitivities tested.

## 6 Conclusions

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- 6.1 An assessment of the viability of the consented residential development at the Axis J9 site has been undertaken. The approach and appraisal format are in line with local and national policy and guidance, testing a range of inputs sourced from the Appellant's professional team and the Council's evidence base.
- 6.2 The appraisal outcomes indicate a substantial viability deficit, driven primarily by the abnormal site costs which include road works and the "true" net zero costs of the Eco Town. Even where no affordable housing is included a deficit remains.
- 6.3 The appraisal results are consistent with the Appellant's past efforts to find a viable solution for the site or a partner willing to deliver the homes. Given these results, it is clear that the scheme cannot deliver a risk-adjusted return, sufficient to enable a developer to commit its own and its funders finance to the project. As a result there is no reasonable prospect of the residential development being delivered.
- 6.4 Whilst the viability position means that a residential scheme cannot come forward, the employment use Application Scheme is deliverable, with an owner-developer in Albion Land willing and ready to commence works. The Application Scheme therefore offers a route to optimise use of the site and generate substantial local economic benefits. As such, and in line with relevant policy, flexibility should be exercised and the Application Scheme supported in preference to the undeliverable residential permission.

# Appendix A – Residential Sales Value Evidence

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Bedroom	Type	OMV	Average Area sqft	£ /ft2	Average £/ft2	Unit Mix
1 Bed	Flat	£220,000	538	£408.92	£377.94	7%
1 Bed	Flat	£170,000	538	£315.99		
1 Bed	Flat	£220,000	538	£408.92		
2 Bed	Flat	£280,000	753	£371.85	£371.85	7%
2 Bed	House	£375,000	947	£395.99	£393.34	32%
2 Bed	House	£369,995	947	£390.70		
3 Bed	House	£410,000	1,291	£317.58	£346.61	37%
3 Bed	House	£469,995	1,291	£364.05		
3 Bed	House	£465,000	1,291	£360.19		
3 Bed	House	£460,000	1,291	£356.31		
3 Bed	House	£405,000	1,291	£313.71		
3 Bed	House	£405,000	1,291	£313.71		
3 Bed	House	£483,995	1,291	£374.90		
3 Bed	House	£405,000	1,291	£313.71		
3 Bed	House	£479,995	1,291	£371.80		
3 Bed	House	£473,995	1,291	£367.15		
3 Bed	House	£460,000	1,291	£356.31		
3 Bed	House	£455,995	1,291	£353.21		
3 Bed	House	£452,995	1,291	£350.89		
3 Bed	House	£437,600	1,291	£338.96		
4 Bed	House	£515,000	1,388	£371.04		
4 Bed	House	£660,000	1,388	£475.50		
4 Bed	House	£630,000	1,388	£453.89		
4 Bed	House	£515,000	1,388	£371.04		
4 Bed	House	£525,000	1,388	£378.24		
4 Bed	House	£529,995	1,388	£381.84		
4 Bed	House	£635,000	1,388	£457.49		
4 Bed	House	£650,000	1,388	£468.30		
4 Bed	House	£635,000	1,388	£457.49		
4 Bed	House	£535,000	1,388	£385.45		
4 Bed	House	£535,000	1,388	£385.45		
4 Bed	House	£520,000	1,388	£374.64		
4 Bed	House	£535,000	1,388	£385.45		
4 Bed	House	£459,995	1,388	£331.41		
5 Bed	House	£630,000	1,840	£342.39	£342.78	9%
5 Bed	House	£635,000	1,840	£345.11		
5 Bed	House	£660,000	1,840	£358.70		
5 Bed	House	£630,000	1,840	£342.39		
5 Bed	House	£580,000	1,840	£315.22		
5 Bed	House	£635,000	1,840	£345.11		
5 Bed	House	£645,000	1,840	£350.54		
<b>Weighted Average</b>					<b>£370.09</b>	

Source: RightMove - Listed or SST New Build Properties within a 2 mile radius of the site



# Appendix B – Development Appraisals

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Axis J9 - Appellant Evidence Base  
30% Affordable Homes

Development Pro Forma

September 2, 2022

## PROJECT PRO FORMA

### Axis J9 - Appellant Evidence Base 30% Affordable Homes

#### Project Pro Forma for Phase 1

Currency in £

#### REVENUE

Sales Valuation	Units	ft <sup>2</sup>	Sales Rate ft <sup>2</sup>	Unit Price	Gross Sales
Private Flat	12	7,746	370.00	238,835	2,866,020
Private Houses	93	99,880	370.00	397,372	36,955,600
Affordable Rent Flats	6	3,873	185.00	119,418	716,505
Affordable Rent Houses	25	22,261	185.00	164,731	4,118,285
Shared Ownership Flats	4	2,582	259.00	167,185	668,738
Shared Ownership Houses	<u>10</u>	<u>9,360</u>	259.00	242,424	<u>2,424,240</u>
<b>Totals</b>	<b>150</b>	<b>145,702</b>			<b>47,749,388</b>

#### TOTAL PROJECT REVENUE

**47,749,388**

#### DEVELOPMENT COSTS

#### ACQUISITION COSTS

Residualized Price (Negative land)	(15,861,070)	(15,861,070)
------------------------------------	--------------	--------------

#### CONSTRUCTION COSTS

##### Construction

	ft <sup>2</sup>	Build Rate ft <sup>2</sup>	Cost	
Private Flat	9,683	289.40	2,802,115	
Private Houses	99,880	289.40	28,905,272	
Affordable Rent Flats	4,841	289.40	1,401,058	
Affordable Rent Houses	22,261	289.40	6,442,333	
Shared Ownership Flats	3,228	289.40	934,038	
Shared Ownership Houses	<u>9,360</u>	289.40	<u>2,708,784</u>	
<b>Totals</b>	<b>149,252 ft<sup>2</sup></b>		<b>43,193,601</b>	<b>43,193,601</b>
Contingency		5.00%	2,159,680	

## PROJECT PRO FORMA

### Axis J9 - Appellant Evidence Base 30% Affordable Homes

Abnormal Costs		1,200,000		3,359,680
<b>Section 106 Costs</b>				
Section 106 Costs		3,827,000		3,827,000
<b>PROFESSIONAL FEES</b>				
Professional Fees	8.00%	3,455,488		3,455,488
<b>MARKETING &amp; LEASING</b>				
Marketing	1.50%	597,324		597,324
<b>DISPOSAL FEES</b>				
Sales Agent Fee	1.00%	477,494		
Sales Legal Fee	0.50%	238,747		
				716,241
<b>TOTAL COSTS BEFORE FINANCE</b>				<b>39,288,264</b>
<b>FINANCE</b>				
Debit Rate 6.500%, Credit Rate 0.000% (Nominal)				
Land		(778,360)		
Construction		1,463,595		
Other		331,762		
Total Finance Cost				1,016,996
<b>TOTAL COSTS</b>				<b>40,305,260</b>
<b>PROFIT</b>				<b>7,444,128</b>
<b>Performance Measures</b>				
Profit on Cost%		18.47%		
Profit on GDV%		15.59%		
Profit on NDV%		15.59%		

## PROJECT PRO FORMA

### Axis J9 - Appellant Evidence Base 30% Affordable Homes

IRR% (without Interest)	N/A
Profit Erosion (finance rate 6.500)	2 yrs 8 mths

Axis J9 - Council 2022 Viability Pre-Consultation Draft  
Nil Affordable

Development Pro Forma

September 2, 2022

# PROJECT PRO FORMA

## Axis J9 - Council 2022 Viability Pre-Consultation Draft Nil Affordable

### Project Pro Forma for Phase 1

Currency in £

#### REVENUE

Sales Valuation	Units	ft <sup>2</sup>	Sales Rate ft <sup>2</sup>	Unit Price	Gross Sales
Private Flat	22	14,201	409.00	264,010	5,808,209
Private Houses	<u>128</u>	<u>131,501</u>	409.00	420,187	<u>53,783,909</u>
<b>Totals</b>	<b>150</b>	<b>145,702</b>			<b>59,592,118</b>

**TOTAL PROJECT REVENUE** **59,592,118**

#### DEVELOPMENT COSTS

##### ACQUISITION COSTS

Residualized Price (Negative land)	(6,118,542)
	(6,118,542)

##### CONSTRUCTION COSTS

###### Construction

	ft <sup>2</sup>	Build Rate ft <sup>2</sup>	Cost
Private Flat	17,751	289.40	5,137,212
Private Houses	<u>131,501</u>	289.40	<u>38,056,389</u>
<b>Totals</b>	<b>149,252 ft<sup>2</sup></b>		<b>43,193,601</b>

Contingency	5.00%	2,159,680
Abnormal Costs		1,200,000
		3,359,680

###### Section 106 Costs

Section 106 Costs	150 un	15,000.00 /un	2,250,000
			2,250,000

##### PROFESSIONAL FEES

Professional Fees	8.00%	3,455,488
		3,455,488

##### MARKETING & LEASING

Marketing	1.50%	893,882
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## PROJECT PRO FORMA

### Axis J9 - Council 2022 Viability Pre-Consultation Draft Nil Affordable

			893,882
<b>DISPOSAL FEES</b>			
Sales Agent Fee	1.00%	595,921	
Sales Legal Fee	0.50%	297,961	
			893,882
<b>TOTAL COSTS BEFORE FINANCE</b>			<b>47,927,990</b>

### FINANCE

Debit Rate 6.500%, Credit Rate 0.000% (Nominal)			
Land		(344,184)	
Construction		1,363,926	
Other		215,765	
Total Finance Cost			1,235,507
<b>TOTAL COSTS</b>			<b>49,163,497</b>

### PROFIT

**10,428,621**

### Performance Measures

Profit on Cost%	21.21%
Profit on GDV%	17.50%
Profit on NDV%	17.50%
IRR% (without Interest)	57.02%
Profit Erosion (finance rate 6.500)	2 yrs 12 mths



Axis J9 - Council 2022 Viability Pre-Consultation Draft  
30% Affordable Homes

Development Pro Forma

September 2, 2022

# PROJECT PRO FORMA

## Axis J9 - Council 2022 Viability Pre-Consultation Draft 30% Affordable Homes

### Project Pro Forma for Phase 1

Currency in £

#### REVENUE

Sales Valuation	Units	ft <sup>2</sup>	Sales Rate ft <sup>2</sup>	Unit Price	Gross Sales
Private Flat	12	7,746	409.00	264,010	3,168,114
Private Houses	93	99,880	409.00	439,257	40,850,920
Affordable Rent Flats	6	3,873	242.00	156,211	937,266
Affordable Rent Houses	25	22,261	242.00	215,486	5,387,162
Shared Ownership Flats	4	2,582	286.00	184,613	738,452
Shared Ownership Houses	<u>10</u>	<u>9,360</u>	286.00	267,696	<u>2,676,960</u>
<b>Totals</b>	<b>150</b>	<b>145,702</b>			<b>53,758,874</b>

#### TOTAL PROJECT REVENUE

**53,758,874**

#### DEVELOPMENT COSTS

##### ACQUISITION COSTS

Residualized Price (Negative land)	(8,877,355)
	(8,877,355)

##### CONSTRUCTION COSTS

###### Construction

	ft <sup>2</sup>	Build Rate ft <sup>2</sup>	Cost	
Private Flat	9,683	289.40	2,802,115	
Private Houses	99,880	289.40	28,905,272	
Affordable Rent Flats	4,841	289.40	1,401,058	
Affordable Rent Houses	22,261	289.40	6,442,333	
Shared Ownership Flats	3,228	289.40	934,038	
Shared Ownership Houses	<u>9,360</u>	289.40	<u>2,708,784</u>	
<b>Totals</b>	<b>149,252 ft<sup>2</sup></b>		<b>43,193,601</b>	<b>43,193,601</b>
Contingency		5.00%	2,159,680	
Abnormal Costs			1,200,000	
				3,359,680

#### Section 106 Costs

**PROJECT PRO FORMA****Axis J9 - Council 2022 Viability Pre-Consultation Draft****30% Affordable Homes**

Section 106 Costs	105 un	15,000.00 /un	1,575,000	1,575,000
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**PROFESSIONAL FEES**

Professional Fees		8.00%	3,455,488	3,455,488
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**MARKETING & LEASING**

Marketing		1.50%	660,286	660,286
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**DISPOSAL FEES**

Sales Agent Fee		1.00%	537,589	
Sales Legal Fee		0.50%	268,794	806,383

**TOTAL COSTS BEFORE FINANCE****44,173,083****FINANCE**

Debit Rate 6.500%, Credit Rate 0.000% (Nominal)

Land			(479,239)	
Construction			1,387,961	
Other			387,454	
Total Finance Cost				1,296,176

**TOTAL COSTS****45,469,259****PROFIT****8,289,615****Performance Measures**

Profit on Cost%	18.23%
Profit on GDV%	15.42%
Profit on NDV%	15.42%

IRR% (without Interest)	53.82%
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Profit Erosion (finance rate 6.500)	2 yrs 7 mths
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## Appendix 9

### DIMENSIONS TO HIGHWAY BOUNDARY

NOTES

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Rev	Description	Chk	Date

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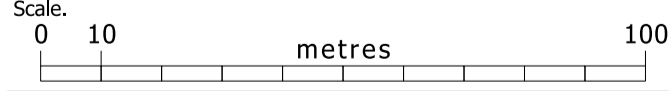


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Project Title:  
**AXIS J9 PHASE 3  
BICESTER**

Drawing Title:  
**PROPOSED SITE PLAN. DIMENSIONS  
FROM BUILDINGS TO RESIDENTIAL  
FENCE LINE**

Drawing Status:  
**PRELIMINARY**



Drawn By:	Scale:	Date:	Chk'd By:
C S	1:1250 @ A1	18/08/2022	S M



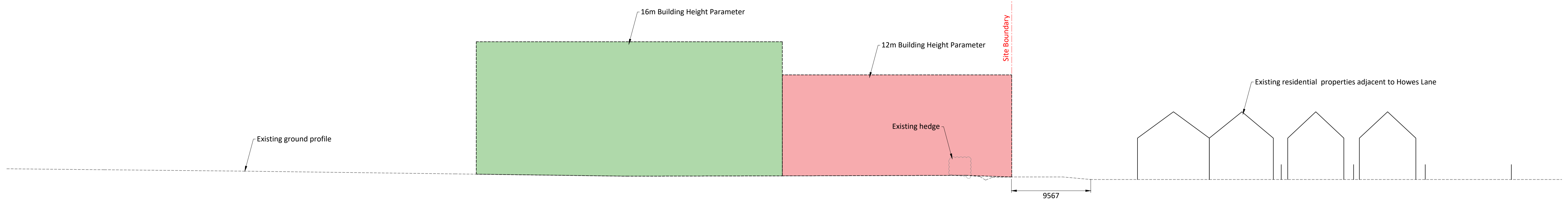
Drawing No.	Rev.
20019 - SK - 020	-



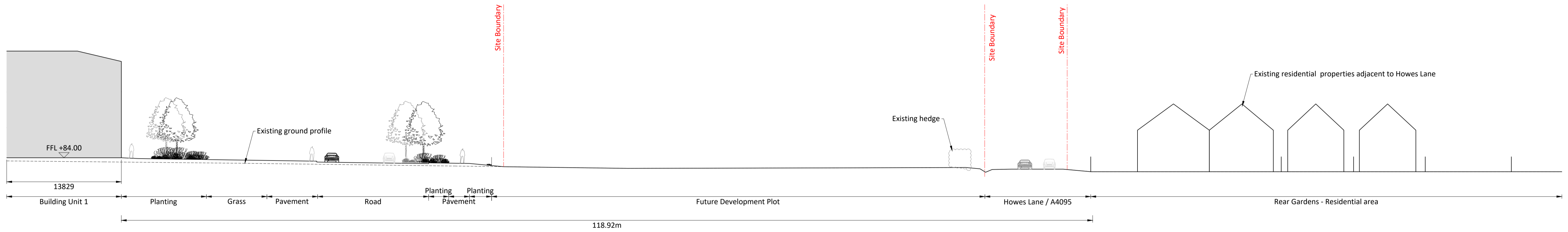
## Appendix 10

### COMPARATIVE SECTIONS

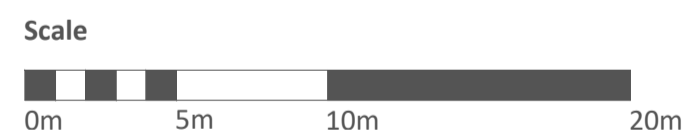
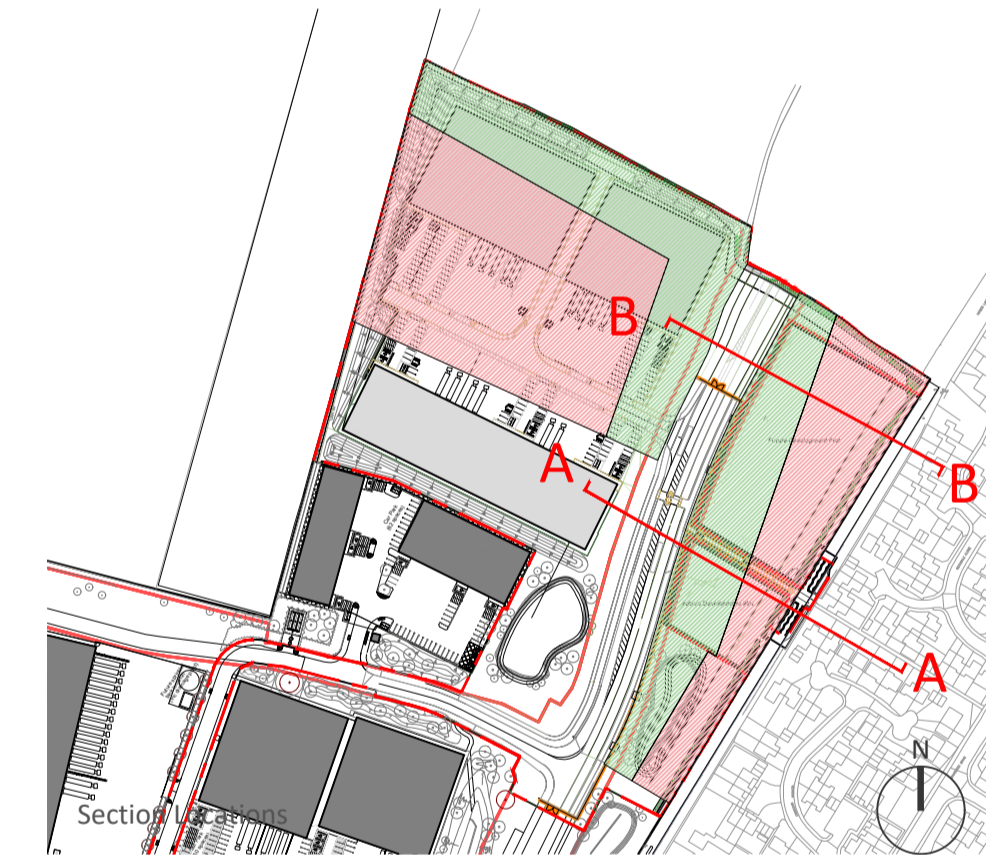
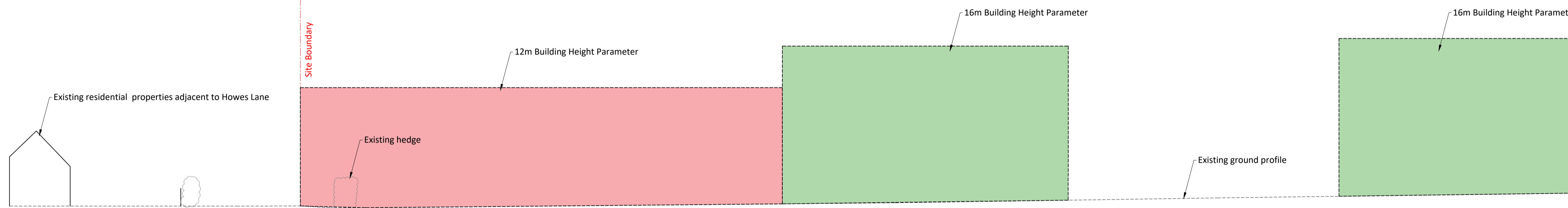
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0002 01 Illustrative section AA-1 Consented (Residential) Scheme 1:250

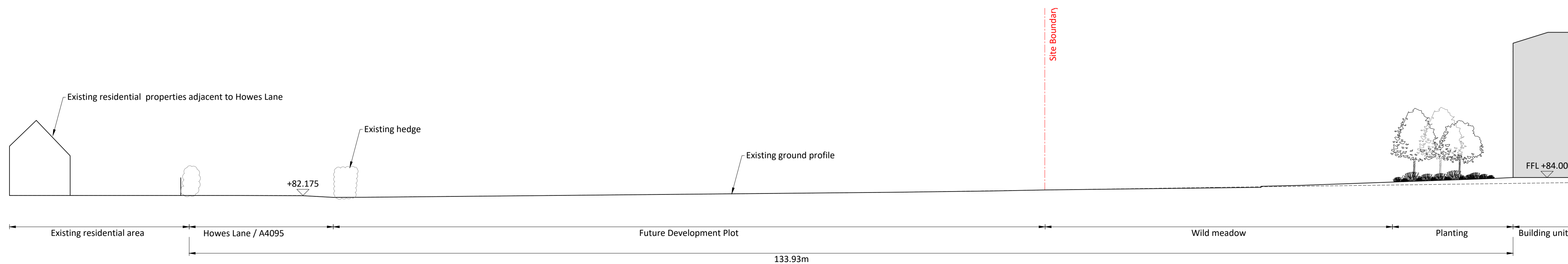


0002 02 Illustrative section AA-2 Application Scheme 1:250



Date	Description of revision	Drawn by	Checked by	Approved by	Revision

0002 03 Illustrative section BB-1 Consented (Residential) Scheme 1:250



0002 04 Illustrative section BB-2 Application Scheme 1:250

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**Project**  
AXIS J9, BICESTER  
RF21-897

**Client**  
ALBION LAND  
**Document title**  
COMPARATIVE SECTIONS

**Paper size**  
A1 **Scale**  
1:250

**Status**  
FOR INFORMATION **S2**

**Drawing number**  
0897-RFM-XX-00-SK-L-0002 **Revision**  
P01

© re-form landscape architecture



## Appendix 11

### ILLUSTRATIVE MASSING IMAGES

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NOTES

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Subject to Statutory Approvals.

Note: Trees shown at year 15



A	Images updated to reflect design development during the planning application period	SK	23/08/2022
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Rev	Description	Chk	Date
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Project Title:  
PHASE 3 AXIS J9 BICESTER

Drawing Title:  
ILLUSTRATIVE MASSING IMAGES

Drawing Status:  
TOWN PLANNING

Scale:

Drawn By:	Scale:	Date:	Chk'd By:
S K	NTS @ A1	27/08/2021	C S



Drawing No.	Rev.
20019 - TP - 028	A



## Appendix 12

### **GUY DENTON – WRITTEN STATEMENT**

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**PINS REF:** APP/C3105/W/22/3304021

**LPA:** Cherwell District Council

**LPA REF:** (21/03177/F)

Land at Middleton Stoney Road & Howes Lane, Bicester.

**Written Statement – Landscape & Visual Issues 1<sup>st</sup> September 2022**

Guy Denton, BA (hons), DipLA (hons), CMLI, AoU

For  
Albion Land

## Axis J9, Phase 3, Bicester - Written Statement – Landscape & Visual Issues

### 1.0 Introduction

1.1 My name is Guy Denton, and I am a director of re-form landscape architecture limited, a landscape architecture and urban design consultancy with offices in Leeds and Manchester. Prior to this position I was UK Director of Planning & Design for Grontmij – an international multi-disciplinary consultancy (now SWECO). My qualifications comprise a BA in Landscape Architecture and Post Graduate Diploma in Landscape Architecture. I am a Chartered Member of the Landscape Institute, an academician of the Academy of Urbanism and a member of the Integreat Yorkshire Design Reviews Panel.

1.2 I have over 30 years professional experience in landscape architecture, planning and design and have undertaken landscape assessment and landscape planning projects throughout the UK for both private and public sector clients, including the Department of Transport, Essex Fire & Rescue Authority, UK Coal, Thornhill Estates, Keyland Developments (Yorkshire Water) and a number of major commercial, retail, and residential developers.

1.3 I am acting as an expert witness on landscape and visual issues on behalf of Albion Land.

1.4 This written statement is supported by a number of documents and drawings which are appended as follows:

**Appendix GD A:** Application No 14/01675/OUT – Environmental Statement, Volume I, LVA Chapter 6, Section 6.7

**Appendix GD B:** Application No 21/03177/F Environmental Statement, Volume II, LVA Chapter 6, Section 6

**Appendix GD C:** Application No 14/01675/OUT – Views 5 & 6, LVA Figures Extract (Illustrating views as per the Extant Permission)

**Appendix GD D:** Rmbp 2142 Bicester Views Version 02 (Illustrating views under the Proposed Development)

**Appendix GD E:** re-form landscape architecture drawings

**Appendix GD F:** Cornish Architect's drawings

**Appendix GD G:** Technical Guidance Note 2/19 Residential Visual Amenity Assessment published by the Landscape Institute (2019)

1.5 I also refer to the application drawings:

- 0897-RFM-XX-00-DR-L-0002 Landscape Sections
- 0897-RFM-XX-00-DR-L-0003 Planting Strategy

These are also provided at Appendix GD E

1.5 My statement considers the following landscape & visual related issues:

- i. The local authority's reasons for refusal which are contrary to the authority's own professional officers' recommendation.
- ii. A comparison of the Proposed Scheme with a "baseline" established by extant consent, with a specific focus on the visual amenity from the residential area to east of Howes Lane.

Throughout the statement I shall be taking into consideration the character and sensitivity of landscapes within the vicinity of the adjacent existing residential properties, and in particular, I shall describe the likely changes to the local visual amenity, and the levels of significance of any effects arising.

1.7 This Statement is supported by Emma Lancaster of Quod, who provides evidence on planning matters.

1.8 Throughout, I shall refer to the application subject to this appeal (Application Number: 21/03177/F ) as 'The Proposed Scheme' and the extant planning consent (Application Number: 20/03199/OUT ) – as 'The Extant Permission'

## **2.0 Reasons For Refusal**

2.1 Within the decision notice the council states that:

*'The development proposed would be incompatible with the existing residential uses to the east of Howes Lane and would have a detrimental impact upon the residential amenity of those nearby residential occupiers.'*

The reasons then set out that the proposed development, in respect of landscape & visual and amenity issues, is contrary to the following policies:

Policy ESD15:

*'Policy ESD 15: 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.'*

specifically bullet points 3 & 11, which read:

[Bullet point 3] *'Support the efficient use of land and infrastructure, through appropriate land uses, mix and density/development intensity'.*

[Bullet point 11] *'Consider the amenity of both existing and future development. (But not relating to matters of privacy, outlook, natural lighting, ventilation, and indoor and outdoor space)'*

Policy Bicester 1 (paragraph 2 and bullet points 1 and 25 under the section titled 'Key site-specific design and place shaping principles') of the Cherwell Local Plan Part 1 2011-2031:

[Bullet point 1] *'Proposals should comply with Policy ESD15'.*

[Bullet point 25] *'Careful design of employment units on site to limit adverse visual impact and ensure compatibility with surrounding development'*

Policy C31 of the Cherwell Local Plan 1996:

*'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.'*

2.2 In respect of the above reasons I submit the following:

2.2.1 The site is not subject to any specific landscape designation or protected status.

2.2.2 The principle of built development on the site is established through the policies of the local

plan and through extant planning content. Any development which accords with these policies and/or the extant planning permission will have a transformative effect on both the landscape character, and the visual characteristics of the site.

2.2.3 The principal receptors to which the reasons for refusal relate are residents/residential properties to the east side of Howes Lane. Opportunities for ground level views to the site are limited – principally to the points at which gaps exist within the existing hedgerow. One of these views is illustrated at view 8 and assessed within the Landscape & Visual Impact Assessment (LVA), submitted with the Proposed Scheme application (see Appendix GD B & GD G). This is discussed in more detail below. Views from first floor habitable rooms are limited mainly to those properties immediately facing onto (or occasionally immediately perpendicular to) Howes Lane. Views of the site from the residential streets further to the east are curtailed due to the intermediate residential built form. There are, however, occasional gaps between the built form through which views are likely – one of these is illustrated at view 9 of the LVA (Appendix GD B & GD G).

2.2.6 The open space between the proposed built form and the existing residential properties will be utilised to provide layers of landscape mitigation – comprising native trees, blocks of dense native tree and shrub planting, amenity shrub planting and the infill and augmentation of the existing hedgerow to Howes Lane. These elements will serve to screen and filter views and to soften the outline of the proposed built form when viewed from the adjacent residential properties. In comparison, under the extant consent, residents would have views in close proximity of residential properties and/or employment uses of heights of up to between 12m and 16m. Again, I deal with this in further detail below.

2.2.7 In respect of visual amenity, Technical Guidance Note 2/19 Residential Visual Amenity Assessment published by the Landscape Institute (Appendix GD H) sets out current best practice in assessing whether visual effects on a private property are such that it may affect the residential amenity of a dwelling to the extent that living conditions for occupiers of that dwelling would be unacceptable. Taking into account the Landscape & Visual Assessment work described in more detail in section 3 below it cannot be said that the development is “overwhelming in views in all directions”, “inescapably dominant” or “unpleasantly encroaching”, and the Magnitude of Change is not so great that it meets the threshold of adversely affecting living conditions. In respect of visual effects, I also show below how the Proposed Development offers a betterment over the Extant Permission.

2.2.8 Clearly, due to the degree of separation between the existing residential properties and proposed built form, the Development Proposal offers a more beneficial relationship than the extant

proposal. It is difficult to see therefore, how the local authority – through their reasons for refusal, and without any objective evidence, have concluded otherwise.

### **2.3 Reasons for refusal – Summary**

2.3.1 The Proposed Scheme is consistent with the principle of built development on the site established both through local planning policy and through the Extant Permission.

2.3.2 The Proposed Scheme does indeed, consider the amenity of both existing and future development in respect of the distance the proposed built form is offset from existing residential properties, the openness of the space between, and the quality and robustness of the landscape scheme proposed (which will be commensurate with the new landscape provided alongside earlier completed phases).

2.3.3 The careful positioning of the employment unit under The Proposed Scheme means that any adverse visual impact has been limited.

2.3.4 Visual amenity is not so adversely affected so that it causes unacceptable living conditions.

2.3.5 The reasons for refusal are not consistent with the extant permission in respect of visual amenity and/or visual impact.

### **3.0 Landscape & Visual Assessment**

3.1 Landscape & Visual Assessments (LVA) were carried out for both the Extant Permission and the Proposed Scheme. These are referenced as follows:

- Application No 14/01675/OUT – Environmental Statement, Volume I, LVA Chapter 6, Section 6.7 (Appendix GD A)
- Application No 21/03177/F Environmental Statement, Volume II, LVA Chapter 6, Section 6 (Appendix GD B)

I also refer to the following AVR Visuals:

- Application No 14/01675/OUT – Views 5 & 6, LVA Figures Extract (Illustrating views as per the Extant Permission) (Appendix GD C)
- Rmbp 2142 Bicester Views Version 02 (Illustrating views under the Proposed Development) (Appendix GD D)



3.2 In respect of Landscape Character both assessments concluded that there would be no significant effect on the adjacent existing residential area (Bicester suburban residential) (Refer to section 6.7 and Section 6 respectively). With both recording only minor-moderate effects. This level of effect is consistent with any form of development that could be brought forward under the allocation / extant permission for the site .

3.3 Development consented under the extant permission would, potentially, fill the whole development zone identified within the scheme parameters (less the quantum of public open space required to meet current planning policies). This zone extends up to the existing hedgerow to the west of Howes Lane. Under the appeal proposal there will be a significant (circa 100m wide) zone of open space from the hedgerow to the edge of new built form. This comparison is illustrated on re-form drawing 0897-RFM-XX-00-SK-L-0001 Comparative built form (See Appendix GD E).

3.4 The parameters included under the extant planning consent includes for built form development at up to 12m in height adjacent (west of) the existing hedgerow to Howes Lane (refer to Cornish Architects' drawing 17023/TP/103 – Parameter Plan 03 - Building Height)(Appendix GD F). This zone is located some 12m from the existing residential properties to the east side of Howes Lane. In comparison, the now proposed employment use built form is some 115m at its closest point. This comparison is illustrated on Cornish Architect's Drawing SK\_020\_Proposed Site Plan Dimensions to East Highway boundary\_20019 (Appendix GD F)

3.5 In respect of Visual Assessment there are two representative views that are pertinent to the reasons for refusal (the first view reference number refers to the Extant Permission, the second view reference number refers to the Proposed Scheme):

- View 5/View 8\* – View west from pedestrian link between Dryden Avenue and Howes Lane, and;
- View 6/View 9 – View west from Beckdale Close.

These views are collated at Appendix GD C & GD D for ease of reference.

*\*Please note that at the time of submission, the AVR for View 8 currently includes a drafting error on the year 1 view which the appellant intends to correct prior to the hearing. This error has no material bearing on the arguments put forward within this written statement, however.*

The comparative residual levels of effects are as follows:

**Table GD 01.**

<b>View</b>	<b>Extant permission residual level of effect – (with landscape mitigation)</b>	<b>The Proposed Scheme residual level of effect (with landscape mitigation)</b>
<b>View 5/View 8</b>	Moderate to Substantial Adverse	Moderate Adverse
<b>View 6/View 9</b>	Minor to Moderate Adverse	Negligible

The residual levels of effects in both views are therefore lower than in the assessment for the scheme under the extant permission.

3.6 It should be noted that adverse levels of effects are likely, and therefore should be expected, for any form of development brought forward that is consistent with the site’s allocation. View 5/View 8 is in close proximity to the site thus the level of effects are higher, however, this is mitigated additionally within The Proposed Scheme (View 8) by siting the built form much further away from the residential receptors, than is the case with the Extant Permission. This comparison in proximity is illustrated in drawing ‘0897-RFM-XX-00-SK-L-0002-Comparative Sections’ (Appendix GD E)

### **3.7 Landscape & Visual Assessment Summary**

3.7.1 Landscape effects are not significant, they are consistent with any form of development brought forward under the policy/allocation, and they are at a similar level to those assessed under the Extant Permission.

3.7.1 The proposed Scheme offers a reduction in the level of adverse visual effects than will be experienced with the Extant Permission. The reason for refusal in visual terms therefore is inconsistent with the granting of permission for the previous scheme.

3.7.2 The residual level of visual effects for the Proposed Scheme are consistent with what can reasonably be expected for the form of development brought forward within the site’s allocation.

#### **4.0 Conclusion**

To conclude, I submit that;

4.1 The Development proposal is consistent with planning policy in respect of landscape & visual amenity, and certainly offers a betterment than the likely impacts to residential amenity under the Extant Permission.

4.2 The visual amenity is not so adversely affected so that it causes unacceptable living conditions.

4.3 Landscape effects are not significant. They are consistent with any form of development brought forward under the policy/allocation and are at a similar level to those assessed under the Extant Permission.

4.4 Visual effects are not significant, are consistent with any form of development brought forward under the policy/allocation. In key views affecting residential receptors there is a betterment in respect of residual level of effects under the Proposed Development when compared with the likely levels of effects caused by the Extant Permission.

**PINS REF: PINS REF:** APP/C3105/W/22/3304021

**LPA:** Cherwell District Council

**LPA REF:** (21/03177/F)

Land at Middleton Stoney Road & Howes Lane, Bicester.

**Written Statement – Landscape & Visual Issues, 1<sup>st</sup> September 2022 Appendix  
GD A Part 1 - Report -ES, Volume I, LVA Chapter 6, Section 6.7**

Guy Denton, BA (hons), DipLA (hons), CMLI, AoU

For  
Albion Land

## 6 LANDSCAPE & VISUAL ASSESSMENT

### 6.1 Introduction

6.1.1 This chapter of the Environmental Statement (ES) has been prepared by re-form Landscape Architecture and assesses the potential effect of the Development on landscape and visual issues. Potential significant effects associated with enabling, construction activities and the completed Development are identified as appropriate and, where necessary, mitigation measures are outlined.

6.1.2 The chapter is supported by the following appendices:

- Appendix 6.1 – LVA Figures; and
- Appendix 6.2 – Methodology for the production of photomontages.

### 6.2 Legislation, Planning Policy and Guidance

#### Legislation Context

6.2.1 The following legislation is relevant for this LVA chapter:

- National Planning Policy Framework;
- Planning Policy Statement 1: Eco-Towns;
- Cherwell Local Plan 2011-2031 Part 1; and
- North West Bicester Masterplan Supplementary Planning Document.

#### National Planning Policy

##### *National Planning Policy Framework, 2012*

6.2.2 The National Planning Policy Framework<sup>1</sup> (NPPF) sets out the Government's reform of the planning system.

6.2.3 Relevant sections within the NPPF in respect of landscape and visual issues are as follows:

- Section 7: Requiring good design
- Section 11: Conserving and enhancing the natural environment

*Planning Policy Statement, Eco-towns: Planning Policy Statement 1 (supplement)*

6.2.4 Planning Policy Statement (PPS) 1: Eco-towns<sup>2</sup> sets out the Government’s objectives for planning and includes measure to promote sustainable development.

6.2.5 Relevant sections within the PPS in respect of landscape and visual issues are as follows:

- ET 14: Green infrastructure; and
- ET 15: Landscape and historic environment.

## Local Planning Policy

*Cherwell Local Plan 2011 - 2031 Part 1*

6.2.6 The Cherwell Local Plan 2011 - 2031 Part 1<sup>3</sup> sets out the long term spatial vision for the District and contain policies to help deliver that vision. The key policies within the Local Plan relating to landscape and visual issues are:

- Policy ESD 13: Local landscape protection & enhancement; and
- Policy ESD17: Green infrastructure.

*North West Bicester Masterplan Supplementary Planning Document, 2016*

6.2.7 The North West Bicester Masterplan Supplementary Planning Document (SPD)<sup>4</sup> sets out the key principles for the future development of North West Bicester. The key policies within the SPD relating to landscape and visual issues are:

- Development principle 9: Green infrastructure & landscape

6.2.8 Relating to Development Principle 9, the following development requirements are relevant:

- Development requirement 9: green infrastructure and landscape
- Development requirement 9 (a): tree planting
- Development requirement 9 (b): development edges
- Development requirement 9 (c): hedgerows and stream corridors

- Development requirement 9 (e):biodiversity

## Guidance

- 6.2.9 We have taken particular care to ensure that an accepted methodology has been utilised in assessing the potential landscape and visual effects of the Development. The aim has been to structure the assessment clearly and identify the method of appraisal at each stage of the process.
- 6.2.10 To this end, the Landscape and Visual Assessment has been prepared according to the *Guidelines for Landscape and Visual Effect Assessment (GLVIA)*.<sup>5</sup> Guidance on the production of viewpoint panoramas and photomontages has been taken from *Visual representation of wind farms*, published by Scottish Natural Heritage (SNH)<sup>6</sup>.

## 6.3 Assessment Methodology

### Consultation

- 6.3.1 Consultation with t the landscape officer at Cherwell District Council was undertaken to agree the viewpoint locations for the assessment of visual effects within this chapter. The correspondence and agreement of the viewpoints with the landscape officer was concluded via email on 16<sup>th</sup> January 2017.

### Scope of Assessment

- 6.3.2 The assessment is carried out in two parts; the landscape assessment and the visual assessment. These are outlined in the following paragraphs below.

#### *Identification of Landscape Effects*

- 6.3.3 The main steps in carrying out the landscape assessment are as follows:
- a. Data collection – primarily in the field, but also through desktop studies;
  - b. Description of the baseline landscape conditions;
  - c. Landscape character identification and classification;
  - d. Identification of the potential positive and negative effects of the proposed development;
  - e. Assessment of the level of the effects identified

- 6.3.4 Landscape assessment encompasses appraisal of physical, aesthetic and intangible attributes including sense of place, rarity or representativeness, and unspoilt appearance. The combination of landscape elements (trees, hedgerows, woodlands, arable and pasture land, settlement and buildings, their architecture and fabric) and their arrangement is what provides an area with its unique sense of place, or 'character'. These aspects, together with scale and character of surrounding landscapes, patterns and scale of landform, land cover and built development, need to be taken into account when assessing landscape effects.
- 6.3.5 Landscape effects include both the physical effects of the development on the existing landscape character and the potential change in character, and the quality of the affected landscape. The level of landscape effects is assessed by taking into account the sensitivity and importance of the receptor and the nature, scale or magnitude and duration of the change or effect. Factors taken into account are:
- a. Changes to the visual appearance of the development area (proportion, scale, enclosure, texture, colour, views);
  - b. Changes to the character of the development area, including changes to the factors such as the physical structure of buildings and development pattern, microclimate, landscape history, archaeology and cultural associations; and
  - c. Perceived changes to surrounding buildings, street scenes, routes or open space resulting from any changes to context and setting.
  - d. The value of the landscape character to the public at a local, regional and national level.
- 6.3.6 Once the character areas have been identified, they are classified in terms of landscape condition according to the scales identified in Table 6.1. The 'condition' refers to an individual area of landscape, with reference to maintenance and condition of the individual components that make up that landscape (e.g., buildings, hedgerows, woodland, and drainage).
- 6.3.7 A judgement is then made on the on the value or importance to society of the affected landscape. Landscape value is scheduled at Table 6.2.
- 6.3.8 Once the condition and value of the landscape is identified and defined, the landscape sensitivity can then be determined. Landscape quality is measured within the context of landscape at a national level, and not in isolation. The sensitivity of a landscape is defined as its ability to accept change, based on its vulnerability to degradation through the introduction of new features. Landscape sensitivity to change is scheduled at Table 6.3.



6.3.9 The sensitivity of the landscape is then used to inform an assessment of landscape effects – based on the likely magnitude of change on the landscape. Effects on the landscape character are not always detrimental and can be described as either adverse or beneficial. Table 6.4 defines the magnitude of change, and Table 6.5 illustrates how the predicted level of the landscape effect is then calculated.

**Table 6-1 Landscape condition**

Category	Definition
<b>Exceptional</b>	<p>Strong landscape structure, characteristics, patterns, balanced combination of landform and land cover</p> <p>Appropriate management for land use and land cover</p> <p>Distinct features worthy of conservation</p> <p>Sense of place</p> <p>No detracting features.</p>
<b>High</b>	<p>Strong landscape structure, characteristic patterns and balanced combination of landform and land cover</p> <p>Appropriate management for land use and land cover but potentially scope to improve</p> <p>Distinct features worthy of conservation</p> <p>Sense of place</p> <p>Occasional detracting features</p>
<b>Good</b>	<p>Recognisable landscape structure, characteristic patterns and combinations of landform and land cover are still evident</p> <p>Scope to improve management for land use and land cover</p> <p>Some features worthy of conservation</p> <p>Some detracting features</p>
<b>Moderate</b>	<p>Distinguishable landscape structure, characteristic patterns of landform and land cover</p> <p>Scope to improve management of vegetation</p> <p>Some features worthy of conservation</p> <p>Some detracting features</p>
<b>Poor</b>	<p>Weak landscape structures, characteristic patterns of landform and land cover are often masked by land use</p> <p>Mixed land use evident</p> <p>Lack of management and intervention has resulted in degradation</p> <p>Frequent detracting features</p>
<b>Very poor</b>	<p>Degraded landscape structure, characteristic patterns and combinations of landform and land cover are masked by land use</p> <p>Mixed land use dominates</p> <p>Lack of management/intervention has resulted in degradation</p> <p>Extensive detracting features</p>
<b>Damaged landscape</b>	<p>Damaged landscape structure</p> <p>Single land use dominates</p> <p>Disturbed or derelict land requires treatment</p> <p>Detracting features dominate</p>

**Table 6-2 Landscape Value**

Value	Typical criteria	Typical Scale	Typical examples
<b>Exceptional</b>	High importance (or quality) and Rarity. No or limited potential for substitution	International, National	World Heritage Site, National Park, AONB
<b>High</b>	High importance (or Quality) and Rarity. Limited potential for substitution.	National, Regional, Local	National Park, AONB, AGLV, LCI, ALLI
<b>Medium</b>	Medium importance (or Quality) and Rarity. Limited potential for substitution	Regional, Local	Undesignated but value perhaps expressed through non-official publications or demonstrable use
<b>Poor</b>	Low importance (or Quality) and Rarity	Local	Areas identified as having some redeeming feature or features and possibly identified for improvement.
<b>Very poor</b>	Low importance (or Quality) and Rarity	Local	Areas identified for recovery.

**Table 6-3 Sensitivity to change**

Sensitivity	Definition
<b>High</b>	A landscape particularly sensitive to change. Proposed change would result in major adverse effects on landscape character/features/elements
<b>Medium</b>	A landscape capable of accepting limited change. Proposed change could be accommodated with some adverse effects on landscape
<b>Low</b>	A landscape capable of accepting or benefiting from considerable change. Proposed change could be accommodated with little or no adverse effects, or would result in beneficial effects on landscape character/features/elements.

**Table 6-4 Definitions of Magnitude of Landscape Effect**

Sensitivity /Value	Definition
<b>High</b>	<b>Total loss or substantial alteration</b> to key elements/ features/ characteristics of the baseline or introduction of elements considered to be <b>totally uncharacteristic</b> when set within the attributes of the receiving landscape.
<b>Medium</b>	<b>Partial loss or alteration to one or more</b> key elements/ features/ characteristics of the baseline or introduction of elements that may be prominent but may not necessarily be considered to be <b>substantially uncharacteristic</b> when set within the attributes of the receiving landscape.
<b>Low</b>	<b>Minor loss or alteration to one or more</b> key elements/ features/ characteristics of the baseline or introduction of elements that <b>may not be uncharacteristic</b> when set within the attributes of the receiving landscape.
<b>Negligible</b>	<b>Very minor loss or alteration to one or more</b> to key elements/ features/ characteristics of the baseline or introduction of elements that <b>are not uncharacteristic</b> when set within the attributes of the receiving landscape.

**Table 6-5 Level of Landscape Effects**

		Sensitivity		
		Low	Medium	High
Magnitude of change	High	Moderate effect	Substantial effect	Substantial effect
	Medium	Minor to Moderate effect	Moderate effect	Moderate to Substantial effect
	Low	Minor effect	Minor effect	Minor to Moderate
	Negligible	No Change	Negligible	Minor effect

*Identification of Visual Effects*

6.3.10 When assessing the visual effect of the proposals the baseline position is the area from which the proposed development is theoretically visible, based on the maximum built form envelope (refer to Chetwoods Architects’ drawing 4216\_PL\_03 Building Heights). This is established on plan through desktop surveys. Once this Zone of Theoretical Visibility (ZTV) is established, then the true visibility of the development site is checked on site in order to understand the screening effect of existing vegetation and buildings and the effect of distance on a receptor’s perception of

the site (see **Appendix 6.1, Fig. 1.9**). A number of key views are then selected within these areas which are most representative of the available views of the site.

- 6.3.11 Viewpoints have been selected in order to demonstrate the worst case scenarios. It is not required that the assessment describe every effect of the proposed Development, but only the main or likely level visual effects which are required to inform the decision-making authority. The viewpoint locations selected have been agreed in advance (see paragraph 6.3.1).
- 6.3.12 For each view selected the level of the effect of the key views can be determined. According to the GLVIA<sup>5</sup>, the two principal criteria determining the level of visual effects are the scale or magnitude of the effect and the environmental sensitivity of the location or receptor. The scale or magnitude is defined as the degree to which the proposals will intrude into or obstruct existing views. This is also particularly relevant when dealing with issues of ‘Openness’ and the extent to which this would affect the visual amenity of the landscape from the view.
- 6.3.13 The sensitivity of the receptor is also taken into account, so that views from public paths or footpaths are considered more important than transient views from roads or views from workplaces. The term ‘receptor’ is used to mean an element or assemblage of elements that will directly or indirectly be affected by the proposed development. Quantification of the number of people affected is also a factor in determining the level of effect. The sensitivity of receptors is defined at Table 6.6.

**Table 6-6 Sensitivity of receptors**

<b>Sensitivity</b>	<b>Definition</b>
<b>High</b>	Residents, walkers and cyclists using public rights of way for recreational purposes
<b>Medium</b>	Motorists and train travellers; and
<b>Low</b>	People in their place of work.

- 6.3.14 Table 6.7 defines the magnitude of change to the views. Emboldening has been inserted to emphasise the difference between subsequent levels.

**Table 6-7 Magnitude of change**

Sensitivity	Definition
<b>High</b>	<b>Total loss or substantial alteration</b> to the baseline view or introduction of elements considered to be <b>totally uncharacteristic</b> to view.
<b>Medium</b>	<b>Partial loss or alteration</b> to the baseline view or introduction of elements that may be prominent but <b>may not necessarily be considered to be substantially uncharacteristic</b> of the view
<b>Low</b>	<b>Minor loss or alteration</b> to the baseline view or introduction of elements that <b>may not be uncharacteristic</b> when set within the view.
<b>Negligible</b>	<b>Very minor loss or alteration</b> to the baseline view or introduction of elements that <b>may not be uncharacteristic</b> when set within the view.

6.3.15 When assessing the visual effect, the following factors are considered:

- a. Proximity to the site and level of visual intrusion likely to be incurred through development;
- b. Number of visual receptors (i.e. people) likely to be affected;
- c. The scale of the development in relation to the overall context of the view;
- d. The quality of the existing view and the degree to which this will change; and
- e. The visual quality of the proposed development (after mitigation).

6.3.16 It is also the case that visual effects are not always detrimental and can therefore be described as either adverse or beneficial. Table 6.8 illustrates how the predicted level of the visual effect is calculated.

**Table 6-8 Level of visual effects**

		Sensitivity		
		Low	Medium	High
Magnitude of change	High	Moderate	Substantial	Substantial
	Medium	Minor to Moderate	Moderate	Moderate to Substantial
	Low	Minor	Minor	Minor to Moderate
	Negligible	No Change	Negligible	Minor

## Assumptions and Limitations

### *Landscape effects*

- 6.3.17 For the purposes of the assessment of landscape effects, the proposals in terms of potential scale, layout, mass and height are in line with the Development Parameter Plans (see Chapter 4: Description of Development).
- 6.3.18 The landscape character areas (**Appendix 6.1, Fig. 1.8**) that are potentially affected upon by the proposed Development have been identified within the baseline assessment, together with the value and the sensitivity of these landscapes. The landscape character areas are described in section 6.4.24 below.
- 6.3.19 The magnitude of change to each landscape character area will be determined by what changes are made to the various elements already described which combine to make up a landscape's character.
- 6.3.20 The ZTV of the proposals, derived from the baseline study (**Appendix 6.1, Fig. 1.9**), also determines the extent to which the Development will affect the existing landscape character of the surrounding area. The ZTV is described in section 6.4.36 below.
- 6.3.21 Once all factors are considered, the magnitude of change can be determined. This is used in conjunction with landscape sensitivity to produce the predicted effect on landscape character.
- 6.3.22 The landscape effects are detailed in section 6.5 of this chapter.

### *Visual effects*

- 6.3.23 A comprehensive visual assessment has been undertaken to determine the degree of visual effect the proposed development would have upon the surrounding landscape. A total of six representative views within the established ZTV (**Appendix 6.1, Fig 1.9**) have been selected for the analysis of visual effects. For all views an indicative block model is produced based on parameters of maximum building heights, form, massing and setting within the landscape (refer to Chetwoods Architects' Parameter Plans). These views are then shown with and without the effects of landscape mitigation. Mitigation is shown at 10 years from the completion of the development.
- 6.3.24 Key views have been selected at strategic locations around the Site and they have been agreed in

advance with the Local Planning Authority (see paragraph 6.3.1). It is considered 'best practice' to categorise views into 3 ranges depending on the proximity of the viewpoint. The categorisation is based on the scale and nature of the landscape, and is as follows:

- a. Close – less than 250m
- b. Medium: between 250 and 1km
- c. Long: more than 1km

6.3.25 The use of photomontages for representing an existing and proposed visual effect is a useful tool for the LVA assessment. A photomontage consists of an existing view in combination with a computer-generated image of a proposed development. As described under guidance from Scottish Natural Heritage<sup>6</sup>, they are used to illustrate the likely view of a proposed development as it would be seen in a photograph, not as it would appear to the human eye in the field. They provide a two-dimensional image that can be compared to the actual view of the landscape to inform the assessment of visual effects, such as scale and potential appearance of the proposals.

6.3.26 It is important to recognise that photomontages can never exactly match what is experienced in reality. The purpose of photomontages is to provide a representation of the proposal that is accurate enough for the potential visual effects to be fully understood. The visual representation will not provide the full picture with regards to potential visual effects, but rather, they inform the assessment process by which judgements are made. They do not show other qualities of the landscape experience that can only be appreciated in the field<sup>6</sup>.

6.3.27 The siting of viewpoints for the visual assessment must balance two factors:

- The likely significance of effects; and
- How typical, or representative the view is.

6.3.28 In some circumstances, a viewpoint may also be chosen due to the cumulative effects the proposals will have on the landscape. This is detailed in section 6.8 of this chapter.

6.3.29 While the choice of viewpoints is very important, the LVA should also be based on other aspects. As stated in guidance from SNH<sup>6</sup>, it is important that over-emphasis on viewpoint assessment is avoided as this may create the erroneous assumption that this is the only aspect of the LVA .

6.3.30 A proposal may not be visible in all viewpoints chosen. However, the modelling exercise can be undertaken in these instances in order to determine any visual effects from this representative location. The locations of all viewpoints should be recorded on file, even when these are superseded or removed at later stages of the LVA process.



6.3.31 A methodology for the production of photomontages is found in Appendix 6.2 accompanying this report.

6.3.32 The visual effects are detailed in section 6.6 of this chapter.

### Significance Criteria

6.3.33 The assessment of likely significant effects as a result of the Development takes into account both the enabling, construction phase and once the Development is completed and occupied. The significance level attributed to each effect is shown in Tables 6.5 and 6.8, and range from 'No change' to 'Substantial'. These effects can be both adverse and beneficial, and are described in further detail in the paragraphs below. Magnitude of change is assessed on a scale of high, medium, low and negligible, as shown in Tables 6.4 and 6.7. Sensitivity of receptor is assessed on a scale of high, medium, and low as shown in Tables 6.3 and 6.6.

6.3.34 In accordance with the methodology suggested by the GLVIA<sup>5</sup> above, the level of effect in this assessment are classified as follows:

- **Substantial Adverse Effect:** Where the proposed scheme would result in a complete variance from the scale, pattern and landform of the landscape, and cause a very high quality landscape to be permanently changed and its quality diminished.
- **Moderate Adverse Effect:** Where the proposed scheme would be out of scale with the landscape, or conflict with the local pattern and character, and cause an adverse effect on a landscape of recognised quality.
- **Minor Adverse Effect:** Where the proposed scheme would not quite fit into the local scale and pattern of the landscape, and affect an area of recognised character.
- **Negligible/No Change:** Where the proposed scheme would complement the scale, pattern and character of the existing landscape, and no discernible character change was apparent.
- **Minor Beneficial Effect:** Where the proposed scheme would fit in well with the scale, character and pattern of the area, and has the potential to improve the existing landscape quality.
- **Moderate Beneficial Effect:** Where the proposed scheme would fit in well with the landscape character of the area, and improve the quality of the landscape.
- **Substantial Beneficial Effect:** Where the proposed scheme would have the potential to fit in very well with the landscape character of the area, and greatly improve the quality of the landscape.

6.3.35 The level of visual effects in this assessment is classified as follows:

- **Substantial Adverse Effect:** Where the proposed scheme would cause a significant deterioration in the existing view.
- **Moderate Adverse Effect:** Where the proposed scheme would cause a noticeable deterioration in the existing view.
- **Minor Adverse Effect:** Where the proposed scheme would cause a slight deterioration in the existing view.
- **Negligible/No Change:** No discernible deterioration or improvement in the existing view.
- **Minor Beneficial Effect:** Where the proposed scheme would cause a slight improvement in the existing view.

## 6.4 Baseline Conditions

### Introduction

6.4.1 This section describes the principal spatial and built form components which give the Site and surrounding area its particular characteristics. The relevance of these components is identified and described below.

6.4.2 Re-form landscape architecture Ltd has undertaken a desk study and visual site analysis. Key documents of relevant to the desk study include:

- Cherwell District Council Local Plan<sup>3</sup>; and
- National Character Area Map<sup>7</sup>.

6.4.3 The following have been identified as key issues in respect of landscape and visual effects relating to the Site:

- a. Location and character of landscape elements and components which contribute to the landscape character
- b. Identification of key receptors and their sensitivity.
- c. Determination of the existing landscape character and visual quality of the site.
- d. The ability of the existing landscape to accommodate change.
- e. The likely effects of development within the landscape – whether it is negative or positive, including:

- i. Potential landscape effects on the existing landscape character of the site and its context.
- ii. Potential visual effects on views into, out of and across the site.
- iii. Potential night time effects in respect of lighting.
- iv. Potential visual effects during the construction works.

6.4.4 For the purposes of this assessment the following elements were considered relevant in determining the character of the study area: existing urban form, open space and vegetation; topography; and existing land use.

6.4.5 The following figures in Appendix 6.1 should be read in conjunction with this section:

Figure 1.1 – Location plan

Figure 1.2 – Landscape context

Figure 1.3 – Landscape analysis

Figure 1.4 – Landscape designations

Figure 1.5 – Existing urban form, open space and significant vegetation

Figure 1.6 – Topography

Figure 1.7 – Existing land use

Figure 1.8 – Character areas

## The Site

6.4.6 The Site is located on the western outskirts of Bicester, Oxfordshire. It is adjacent to Howes Lane. The Site is 6.5 hectares in area.

6.4.7 The Site is currently used for arable crops and comprises of a field separated from adjacent farmland with native hedgerow. The frontage to Howes Lane comprises of native hedgerow with occasional tree planting. To the west and north of the Site is open pasture and farmland, bounded by hedgerows and occasional mature tree planting. An area of young tree planting is located to the top of the north western boundary.

6.4.8 To the east along Howes Lane is a suburban residential area built in the late 20<sup>th</sup> century, which connects to Howes Lane via Shakespeare Drive, to the north-eastern corner of the Site. The residential area is fronted along Howes Lane with a mixture of hedgerow, tree planting, and close-boarded fencing to back gardens.

- 6.4.9 There are no public rights of way on the Site. A local cycle connection links to the corner of Middleton Stoney Road and Howes Lane. A public bridleway is located approximately 500m to the north of the Site, parallel to the railway line (Chiltern Main Line). The M40 motorway is located approximately 1.5km to the west of the Site.
- 6.4.10 The Site supports a number of habitat types however there are no statutory or local designations in respect of ecology, biodiversity or wildlife within the Site which would need to be taken into consideration when assessing landscape and/or visual effects. Refer to Chapter X: Ecology for further details.
- 6.4.11 A Tree Survey of the Site has been undertaken<sup>8</sup>. The survey has been carried out in accordance with *BS5837 (2012): Trees in relation to design, demolition and construction – Recommendations*<sup>9</sup>. The tree survey has identified the extent of hedgerows and tree planting to the Site. The majority of hedgerows to the Site boundary consist of common hawthorn, with some elder and ash planting. The large block of tree planting to the west of the Site consists of hawthorn, field maple, ash and elder. A group of ash trees are found to the northern boundary of the Site. There are few individual trees identified within the Site itself. A single Lawson cypress is found within the hedgerow to the Site along Howes Lane, and further south, a single pedunculate oak. The majority of hedgerow planting is categorised as C2; low quality vegetation with some landscape value. There are no trees subject to Tree Preservation Orders (TPOs) within the Site itself.

## Topography

- 6.4.12 Topography is an important part of the character of the area. Visually, it is important in defining the location of views around the Site, particularly in its only very slightly undulating character.
- 6.4.13 The Site very gently slopes downwards towards Howes Lane from west to east, from a high point of 86.50m AOD to a low point of 82.00m AOD along Howes Lane. The surrounding landscape is similarly very gently undulating (see **Fig. 1.6**).

## Significant vegetation

- 6.4.14 Existing vegetation is identified and assessed at two levels – firstly, the contribution it makes to the area as a whole and secondly, specific vegetation which may be physically affected by the proposed development. The existing vegetation has been mapped using aerial photography with supporting fieldwork.
- 6.4.15 The Site is bounded on three sides by hedgerows consisting of native species. Within the

hedgerow, occasional mature trees are present. There are no groups of trees on Site (see **Fig. 1.5**). There are three trees with TPO status adjacent to the Site. These trees are located within the existing hedgerows.

- 6.4.16 There is an area of tree and scrub planting to the north-western boundary of the Site approximately 40m wide.
- 6.4.17 There is a narrow beck along part of the northern boundary of the Site which runs eastwards to Howes Lane. The beck is lined with hedgerow planting.
- 6.4.18 The verge to Howes Lane is vegetated on both sides with a mixture of hedgerow and tree planting. The planting varies in density along the length of the road, with a typical width of 2m and height of 4 to 5m, increasing to 10m or more where there is tree planting within the hedgerow.
- 6.4.19 Beyond the Site, larger groups of trees are found to Bignall Park, lining Middleton Stoney Road. The woodland here is predominantly deciduous tree planting.
- 6.4.20 The surrounding agricultural landscape consists of arable fields bounded with native hedgerows and occasional mature tree planting. Some small copses of trees are also found along field boundaries and to the sides of localised watercourses.

### Urban settlement

- 6.4.21 The urban settlement is used in the assessment as a shorthand term for the pattern and inter-relationship of buildings and open space. A study of this pattern can contribute to an understanding of landscape and character to highlight the ratio of built form to open space as a precursor to defining landscape character.
- 6.4.22 The Site is located to the western edge of Bicester, and it separated from existing suburban residential areas to the east by Howes Lane, which forms part of the loop road around the town. The Site itself does not contain any built form, and beyond Howes Lane, the landscape is defined by isolated farmsteads and arable pasture. The villages of Bucknell, Middleton Stoney and Chesterton are the largest settlements outside Bicester, all within an approximately radius of 3km from the centre of the Site (see **Fig. 1.5**).

### Existing land use

6.4.23 The existing land use (see **Fig 1.7**) shows the land to the west of the Site as predominantly agricultural. The farmland is interspersed with small settlements and woodland. The land to the east of the Site is predominantly suburban residential, which also contains a mixture of public open space and parks, as well as employment land and schools.

### Existing landscape character

6.4.24 The assessment of the landscape encompasses the appraisal of physical, aesthetic and intangible attributes including sense of place, rarity or representativeness, and unspoilt appearance. The combination of landscape elements (trees, hedgerows, woodlands, settlement and buildings, their architecture and fabric) and their arrangement give the different areas a unique sense of place, or 'character'. These aspects, together with scale and character of surrounding landscapes, patterns and scale of landform, land cover and built development, need to be taken into account when assessing landscape effect.

6.4.25 Natural England has produced a National Character Area (NCA) Map for England<sup>7</sup>, which identifies broad areas of distinct and individual countryside character. The character map takes account of the physical landform and the effect of human activities on the natural world. The national framework of character areas identifies and describes the diversity of landscape character across England and provides a common starting point for more detailed local assessments.

6.4.26 The Site is located within the Cotswolds Landscape Character Area no. 107<sup>7</sup> which summarises this area as follows:

*The dominant pattern of the Cotswold landscape is of a steep scarp crowned by a high, open wold; the beginning of a long and rolling dip slope cut by a series of increasingly wooded valleys. The scarp provides a backdrop to the major settlements of Cheltenham, Gloucester, Stroud and Bath and provides expansive views across the Severn and Avon Vales to the west. Smaller towns and villages nestle at the scarp foot, in the valley bottoms and on the gentler valley sides at springlines. Scattered hamlets and isolated farmsteads are found on the higher ground. The limestone creates a strong sense of place and unity which carries through to the buildings and walls which have been built using local limestone for centuries.*

6.4.27 Key characteristics of this landscape include:

- *Open and expansive scarp and high wold dipping gently to the southeast, dissected by river valleys.*
- *Arable farming dominates the high wold and dip slope while permanent pasture prevails on the steep slopes of the scarp and river valleys with pockets of internationally important limestone grassland.*
- *The majority of the principal rivers flow south-eastwards forming the headwaters of the Thames with the exception of rivers in the west*
- *Rich history from Neolithic barrows, iron-age hill forts and Roman roads and villas to deserted medieval villages, grand country houses, cloth mills and Second World War airfields. The field patterns largely reflect both the medieval open field system, with fossilised areas of ridge and furrow, and later planned enclosures, which flow into the River Avon and then the Severn Estuary.*

6.4.28 The Oxfordshire Wildlife and Landscape Study (OWLS)<sup>10</sup> commissioned by CDC in 1994 assesses local landscape types in the county. The ‘Estate Farmland’ landscape character is found around the Site and is defined by:

- Medium to large, regularly-shaped hedged fields.
- Small, geometric plantations and belts of trees.
- Large country houses set in ornamental parklands.
- Small estate villages and dispersed farmsteads.

6.4.29 The Site fits to the description of Estate Farmland landscape character, with the regular, large field pattern and dispersed farmsteads to the locality.

6.4.30 Using these national, regional and local landscape character studies, together with our own landscape context analysis (land use, urban settlement, topography and significant vegetation) together with maps, aerial photographs and fieldwork, we have identified the following key character areas which represent the Site and its landscape context. These areas are shown on **Figure 1.8**.

#### **6.4.31 Character area 1: Estate parkland**

This character area comprises the estate of Bignell Park. The landscape character is defined by large woodland copses of deciduous trees, and with a designed landscape connected to historic estate buildings. Large areas of the landscape are used for recreation, with some agricultural fields and plantations attached. Overall, the landscape condition can be described as ‘good’, due

to the presence of managed landscape areas. The landscape value is considered 'medium'. This is due to the local ecological value attached to Bignell Park (non-statutory). The sensitivity of this landscape is considered 'medium' as the landscape has limited capacity to accommodate change.

#### **6.4.32 Character area 2: Bicester suburban residential**

Suburban residential comprising a mix of circa late 20th century brick build houses, mainly two storeys with gardens. The massing is arranged in curvilinear forms around cul-de-sac estate roads. Rear garden fences face towards Howes and the proposed development site. The fences are of mainly timber construction. Overall the landscape condition can be described as 'poor' due to the weak landscape structure and detracting features. In terms of landscape/townscape value the area is 'poor'. Any change to the setting of this area can be accommodated with little or no adverse effect, the sensitivity of this area is therefore considered to be 'low'.

#### **6.4.33 Character area 3: Chesterton Village**

The character area consists of a range of brick and stone buildings, with some thatched-roofed dwellings, ranging from C13th to C20th. The character area is defined by the linear arrangement of buildings along Alchester Road, with the landscape behind these buildings consisting of small fields and woodland areas. There are several listed buildings to the character area, including the estate of Chesterton Lodge. Landscape condition is 'good', with a recognisable landscape structure and features worthy of conservation. Most of Chesterton is designated as a conservation area, such that the landscape value is considered 'high'. Landscape sensitivity is 'medium', with the character area having some capacity to accept some change.

#### **6.4.34 Character area 4: Agricultural land**

There is a recognisable pattern of vegetated field boundaries traversed by a network of public footpaths. The landscape condition can be described as 'good'. There are some former agricultural related buildings and detracting features such as the Bicester to Bletchley railway line and the M40 motorway. Fields are used for arable crops and some grazing pasture. Hedgerows comprise of mixed deciduous native species. The character area is traversed by a network of drainage ditches and natural brooks. The area has demonstrable use through public access and can therefore be described as having 'medium' value. The landscape is capable of accepting a limited amount of change, which could be accommodated with some adverse effects; its sensitivity therefore can be described as 'medium'.

6.4.35 The landscape quality of the above character areas is assessed in terms of their condition, value



and sensitivity as follows:

**Table 6-9: Landscape quality of character areas**

Character area	Condition	Value	Sensitivity
<b>1. Estate parkland</b>	Good	Medium	Medium
<b>2. Bicester suburban residential</b>	Poor	Poor	Low
<b>3. Chesterton Village</b>	Good	High	Medium
<b>4. Agricultural land</b>	Good	Medium	Medium

### Zone of theoretical visibility

- 6.4.36 A ZTV indicates areas from where a proposal is theoretically visible within the study area, but it does not show what the view would look like look like, nor does it indicate the nature or magnitude of landscape or visual effects. This includes for private properties and land that is not publicly accessible. In order to establish the ZTV, the Site layout was assessed in relation to survey maps. This provisional visual envelope was then refined in the field at which stage visual receptors were also identified. These include highways, public footpaths and bridleways, as well as residential properties, work places and public open spaces.
- 6.4.37 The result of this analysis is illustrated on **Figure 1.9** of Appendix 6.1, which is based on visibility of the proposed Development after implementation. The ZTV is based on available views at ground level from publicly accessible areas. For the purpose of this assessment a maximum proposed building heights of 16m and 12m has been assumed from existing ground levels on Site, as per the parameters set out on Chetwood Architects’ drawing 4216\_PL\_03 Building Heights.
- 6.4.38 The analysis of the ZTV reveals that due to the local flat topography and the laying effect of densely planted field boundaries, there is limited inter-visibility between the Site and surrounding areas, other than those areas that are in close proximity to the Site boundaries and thus the development itself. Glimpsed views of the site extend west along Middleton Stoney Road towards the M40 motorway. Views from the north are obscured due to the localised layering effect of field boundary hedgerows and woodland copses, and the vegetated edge of the railway line. From the east, glimpsed views are possible from the edge of the dwellings along Howes Lane, and to a limited extent further into the existing residential area.

## 6.5 Environmental Design and Management

6.5.39 This section details the proposals for the Development which are 'designed-in' the scheme to mitigate potential landscape and visual effects. When assessing the landscape and visual effects of the Development proposals, the measures described below have been taken into account.

### **Construction**

6.5.40 Construction will be carried out in accordance with a Construction Environmental Management Plan (CEMP) which is assumed will be secured by planning condition. The CEMP details the avoidance and mitigation measures of construction effects on the surrounding receptors. Construction mitigation is detailed in paragraph 6.6.3 below.

### **Completed Development**

6.5.41 The inherent landscape and visual mitigation strategy, which forms part of the principles of the Development, follows two main principles of avoidance, and reduction:

a. Avoidance:

The location of the Development proposals has been carefully considered from the inception of the project to avoid adverse effects. All proposed buildings will have a height of 16m or less. Proposed built form is located away from the hedgerow boundaries to the edges of the Site. The majority of field boundary hedgerows to the perimeter of the Site will be retained.

b. Reduction:

The reduction of potential effects on the landscape has been very carefully considered. A substantial new number of trees and hedgerows are proposed in order to augment existing hedgerows and areas of vegetation, and also to create new blocks of woodland and new hedgerows consistent with the character of the surrounding landscape. Collectively this new planting will serve to screen, filter and soften views of the proposed Development.

6.5.42 The strategies of reduction and avoidance are an important part of the Development proposals. The Eco-Town allocation emphasises the importance of green infrastructure networks, the retention and reinstatement of the hedgerow landscape patterns, and the consideration of visual and landscape effects to the existing context.

6.5.43 The inherent mitigation measures and their effect in terms of reducing potential effects are considered as part of the assessment of the Development in **Tables 6.10 to 6.13** and the effects are summarised in **Table 6.14**. Additional detail of the scale of proposed habitats and biodiversity is described in the Biodiversity Strategy (Appendix X.X and Biodiversity Offsetting Metric produced by Tyler Grange).

- a. 10m wide hedgerow buffers are proposed to the eastern boundary where existing hedgerows are to be retained. Along part of the eastern buffer, native hedgerow is proposed between the built form and Howes Lane to augment the existing hedgerow planting. Elsewhere, the 10m wide buffer will consist of wildflower grassland with intermittent native tree planting.

Purpose: to protect existing hedgerows in line with objectives set out in the NW Bicester SPD<sup>4</sup>. Additional hedgerow planting to Howes Lane filters and softens views of the proposed built form and augments existing green infrastructure. The 10m buffer retains existing important landscape features and protects existing biodiverse habitats, while reinforcing the existing character of the local landscape.

- b. To the south of the Site, above the proposed access road, the landscape proposals consist of a parkland landscape including attenuation swales, tree planting and play areas. The new road access to the Development will be fronted with tree planting and a combined verge and swale.

Purpose: To provide amenity landscape within the Development that softens and screens the proposed built form and to visually connect to existing residential character along Howes Lane.

- c. Tree planting and hedgerow planting will front the Site boundary along Howes Lane.

Purpose: To augment the retained existing hedgerow and tree planting along Howes Lane, reinforcing existing green infrastructure and visually reinforcing the strong character of hedgerows to the Site.

- d. Within the residential areas, street and garden trees will soften and break up the outline of the built form. Tree and hedgerow planting will also form a vegetated edge to the housing area along Howes Lane. The reinstatement of hedgerow and tree planting along

the Howes lane edge will strengthen the exiting green infrastructure network to the Site and its immediate context.

Purpose: To provide visual amenity and variety of vegetation within the residential area; to connect to existing green infrastructure, and to visually connect to existing residential character along Howes Lane.

## 6.6 Construction

### Assessment of Effects

6.6.1 In order to facilitate any development on the site there will be a period of construction activity. The Site shall be subjected to following activities during construction. These will have the potential to generate effects on landscape character and visual amenity:

- a. Material stockpiling
- b. Lighting of the works
- c. Movement and activity of construction equipment and plant
- d. Increase of heavy traffic to site
- e. Other site-related activities

6.6.2 **The** CEMP will be in place for the duration of the construction works. The level of construction effects is predicted to be 'substantial' adverse. This is because the construction effects will be transformational on Site itself, and will have visual and landscape effects on receptors. However, the construction effects would be temporary and short term in duration, and occur over an estimated four year period.

### Mitigation and Residual Effects

6.6.3 The potential effects during construction already identified will be short term when compared to the effect of the completed Development discussed below, however, they need to be addressed in order to minimise any adverse effects on surrounding receptors. As part of standard construction methods, the following measures would be in place to minimise construction phase effects. These will include:

- a. Screening of the Site with temporary hoarding;
- b. Managed working hours;
- c. Controlled access points;
- d. Considered location of stockpiles and equipment; and
- e. Considered location of temporary buildings and cabins.

6.6.4 Beyond activities on Site and an increase of heavy traffic to the Site, there are not likely to be any effects during the construction phase which affect areas or receptors not already affected by the Development itself. For this reason, no other specific mitigation measures will be required. In conclusion, the predicted overall effect of the construction phase of the Development is likely to remain 'substantial' adverse in terms of both landscape character and visual amenity. However, these effects will only exist for the construction period, which is estimated to be a maximum of four years.

6.6.5 In summary, the effects on the landscape during construction will be limited, temporary and will be no greater than the long-term effects of the proposed Development.

## 6.7 Completed Development

### *Landscape effects*

6.7.6 The predicted effects of the completed Development on each character area are set out as follows:

**Table 6-10: Assessment of landscape effects – Character area 1**

Character area 1: Estate parkland	
<b>Proximity to Site</b>	Close
<b>Landscape receptor</b>	Designed parkland landscape; open landscape interspersed with groups of trees
<b>Sensitivity</b>	Medium
<b>Description of landscape effects</b>	Partial alteration to the baseline due to redevelopment of the Site. Modifications to topography to create development plateau. Loss of openness to Site. Permanent duration.
<b>Magnitude of change</b>	Medium
<b>Predicted landscape effects</b>	Moderate
<b>Description of mitigation</b>	<ul style="list-style-type: none"> <li>• Site to be buffered by areas of tree and native woodland understorey planting which will assimilate the built form and contribute to green infrastructure of surrounding area.</li> <li>• Existing hedgerows retained to be augmented with intermittent native tree planting and native hedgerow planting.</li> <li>• Parkland and amenity landscape consisting of swales, grass and tree planting to the eastern side of the site.</li> <li>• New road to be planted with amenity trees and shrubs.</li> </ul>
<b>Magnitude of change with mitigation taken into account</b>	Low
<b>Residual Effect - predicted landscape effects with mitigation measures in place</b>	Minor adverse

**Table 6-11: Assessment of landscape effects – Character area 2**

Character area 2: Bicester suburban residential	
<b>Proximity to Site</b>	Close.
<b>Landscape receptor</b>	Suburban residential area.
<b>Sensitivity</b>	Low.
<b>Description of landscape effects</b>	Partial loss of baseline character. Encroachment of built form, into existing open countryside. Some loss of trees and hedgerow structures. Permanent duration.
<b>Magnitude of change</b>	Medium.
<b>Predicted landscape effects</b>	Slight to moderate.
<b>Description of mitigation</b>	<ul style="list-style-type: none"> <li>• Verge hedgerow planting retained to Howes Lane except at access road, which is augmented with intermittent native tree planting and native hedgerow planting.</li> <li>• New access road to be planted with amenity trees and shrubs.</li> </ul>
<b>Magnitude of change with mitigation taken into account</b>	Low.
<b>Residual Effect - predicted landscape effects with mitigation measures in place</b>	Minor adverse.

**Table 6-12: Assessment of landscape effects – Character area 3**

Character area 3: Chesterton Village	
<b>Proximity to Site</b>	Long
<b>Landscape receptor</b>	Conservation Area setting; network of small fields and tree copses
<b>Sensitivity</b>	Medium
<b>Description of landscape effects</b>	<p>Partial loss of baseline character.</p> <p>Encroachment of built form into existing open countryside towards setting of village. Encroachment of built form and street structure. Loss of field pattern. Some loss of trees and hedgerow structures. Permanent duration.</p>
<b>Magnitude of change</b>	Low
<b>Predicted landscape effects</b>	Slight
<b>Description of mitigation</b>	<ul style="list-style-type: none"> <li>• Site to be buffered by native vegetation which will integrate the built form to surrounding landscape character and contribute to green infrastructure of surrounding area.</li> <li>• Existing hedgerows retained to be augmented with intermittent native tree planting and native hedgerow. Residential development to be assimilated to surrounding landscape character with amenity planting including street trees.</li> <li>• Parkland and amenity landscape consisting of swales, grass and tree planting. Verge hedgerow planting retained to Howes Lane except at access road.</li> <li>• New road to be planted with amenity trees and shrubs.</li> </ul>
<b>Magnitude of change with mitigation taken into account</b>	Negligible.
<b>Residual Effect - predicted landscape effects with mitigation measures in place</b>	Negligible.



**Table 6-13: Assessment of landscape effects – Character area 4**

Character area 4: Agricultural landscape	
<b>Proximity to Site</b>	On-Site.
<b>Landscape receptor</b>	Existing arable fields; hedgerows
<b>Sensitivity</b>	Medium.
<b>Description of landscape effects</b>	Substantial alterations to the baseline due to redevelopment of the Site. Removal of existing hedgerows on Site and modifications to topography to create development plateau. Construction of new buildings, construction of new access road.  Permanent duration.
<b>Magnitude of change</b>	High.
<b>Predicted landscape effects</b>	Substantial.
<b>Description of mitigation</b>	<ul style="list-style-type: none"> <li>• Site to be buffered by native vegetation which will soften and break up outline of buildings and contribute to green infrastructure of surrounding area.</li> <li>• Existing hedgerows retained to boundaries, and to be augmented with intermittent native tree planting and native hedgerow. Parkland landscape of swales, groups of trees and open grassland to soften edge of built form. Verge to Howes Lane to be augmented with tree planting.</li> <li>• New road to be planted with amenity trees and shrubs.</li> </ul>
<b>Magnitude of change with mitigation taken into account</b>	Medium.
<b>Residual Effect - predicted landscape effects with mitigation measures in place</b>	Moderate adverse.

6.7.7 Table 6.14 draws together the significance of landscape effects for the areas considered:

**Table 6-14: Predicted significance of landscape effects**

Character area	Magnitude of change	Sensitivity	Predicted effect	Predicted effect with mitigation (residual effect)
<b>1. Estate parkland</b>	Medium	Medium	Moderate adverse	Minor adverse
<b>2. Bicester suburban residential</b>	Medium	Low	Minor to moderate adverse	Minor adverse
<b>3. Chesterton Village</b>	Low	Medium	Minor adverse	Negligible
<b>4. Agricultural land</b>	High	Medium	Substantial adverse	Moderate adverse

*Summary of landscape effects*

- 6.7.8 The proposed Development will affect a number of character areas; these have been identified and evaluated within the baseline study. The Development will have long terms and short term effects on these character areas as is to be expected with any development taking place on the Site.
- 6.7.9 Significant mitigation measures are proposed to the Development which will be delivered through the detailed landscape proposals which will form part of reserved matters applications. These measures have been designed to reduce any long-term landscape effects.
- 6.7.10 In respect of long-term effects on the Site itself without mitigation (character area four), the predicted landscape effects are ‘substantial’ due to the transformational nature of the proposed Development. However, substantial effects are limited to the site area only. With mitigation, these effects are reduced to moderate’ adverse. In respect of all other character areas the predicted landscape effects range from ‘minor adverse to ‘minor to moderate adverse’. With mitigation measures taken into account these effects would range from ‘negligible’ to ‘minor’ adverse’.
- 6.7.11 It should be understood that the landscape effect on the Site will be transformative due to the nature of the proposals. The principle of development on this Site has been accepted through its designation in the Local Plan for residential use, and the predicted landscape effects will be consistent with this type of development on this Site.

## *Visual effects*

6.7.12 Refer to the following figures in Appendix 6.1 throughout this section:

Figure 2.1 – Viewpoint locations

Figures 2.2 to 2.7 – Photographic views 1 to 6

6.7.13 The views shown on **Figures 2.2 to 2.7** have been selected in order to be representative of a range of locations and distances from which the Site is visible, and for the type of occupancies (e.g. residential properties), activities (e.g. footpath users) and the expectations of potential receptors (e.g. visitors to the locality). The sensitivity of the receptor has been recorded against each view considered. The most sensitive receptors are residents of properties nearby, and people using the public rights of way network.

6.7.14 A detailed description of proposed landscape mitigation measures are provided in section 6.5.43above.

6.7.15 The predicted effects for each of the representative views are assessed in **Tables 6.15 to 6.20**. These effects are then summarised in **Table 6.21**:

**Table 6-15: Assessment of visual effects – View 1**

View 1 – View east along Middleton Stoney Road adjacent to entrance of Himley Farm	
<b>Figure reference</b>	2.2
<b>Distance</b>	Close
<b>Direction</b>	East
<b>Season</b>	Winter
<b>Conditions</b>	Clear
<b>Visibility</b>	Very good
<b>Type of receptor</b>	Highway users
<b>Sensitivity</b>	Medium
<b>Reason for view selection</b>	View from farm entrance and from local road network
<b>Description</b>	<p>View from roadside across towards the Site.</p> <p>The Site is located behind the hedgerow in the view. The Site sits to the centre-right of the view. Native hedgerow planting and the road is located to the foreground of the view. To the right of the view, dense native tree and hedgerow planting forms the edge to Bignell Park. There is a mature tree located within the hedgerow, to the right of the view.</p>
<b>Proposed view</b>	<p>There will be a very minor alteration to the baseline view.</p> <p>Glimpsed views of the roofs/upper limits of the proposed Development may be possible during winter months but these will not be obvious features in the landscape.</p> <p>The existing mature vegetation will remain in the view and serve to break up and soften the outline of the Development.</p>
<b>Magnitude of change</b>	Negligible
<b>Predicted visual effects</b>	Negligible
<b>Proposed view with landscape mitigation</b>	<p>Very minor alteration to the view</p> <p>Tree planting to the north and north west of the Site will filter views of the built form.</p> <p>Tree planting within and adjacent to the residential buildings will filter and break up the built form.</p>
<b>Magnitude of change with landscape mitigation in place</b>	No change.
<b>Residual Visual Effect – with mitigation in place</b>	No change

**Table 6-16: Assessment of visual effects – View 2**

View 2 – View south from public bridleway 148/4	
<b>Figure reference</b>	2.3
<b>Distance</b>	Long
<b>Direction</b>	South
<b>Season</b>	Winter
<b>Conditions</b>	Clear
<b>Visibility</b>	Very good
<b>Type of receptor</b>	Public bridleway users
<b>Sensitivity</b>	HighBo change
<b>Reason for view selection</b>	View from public right of way network
<b>Description</b>	View from public bridleway looking across to Site The Site is located to the right side of the view. There is a pasture in the foreground and low-level hedgerow vegetation to either side of the view. The view consists of boundary hedgerows, and arable fields. To the distance, to the left of the view, some mature tree planting is discernible.
<b>Proposed view</b>	There will be no change to the baseline view. The Development proposals will sit below the ridge line in the view. Rooftops to houses will be blocked by bands of existing hedgerow and tree planting,
<b>Magnitude of change</b>	No change.
<b>Predicted visual effects</b>	Negligible
<b>Proposed view with landscape mitigation</b>	No change to the view. On Site, proposed native tree planting hedgerows retained to the boundaries of the Site and will soften the outline of built form. Tree planting to the parkland and residential areas will break up the built form. These will not be visible in the proposed view and therefore there will be no change to the view.
<b>Magnitude of change with landscape mitigation in place</b>	No change.
<b>Residual Visual Effect – with mitigation in place</b>	No change

**Table 6-17: Assessment of visual effects – View 3**

View 3 – View south-west from public bridleway 129/9	
<b>Figure reference</b>	2.4
<b>Distance</b>	Medium
<b>Direction</b>	South west
<b>Season</b>	Winter
<b>Conditions</b>	Low sun
<b>Visibility</b>	Moderate
<b>Type of receptor</b>	Public bridleway users
<b>Sensitivity</b>	High
<b>Reason for view selection</b>	View through break in hedgerow from public right of way network
<b>Description</b>	View from public bridleway looking across to Site The Site is located to the left of the view. There is an arable field in the foreground and low-level hedgerow vegetation frames either side of the view. To the far mature tree planting forms a band across the horizon. A farm building is discernible to the centre-left of the view.
<b>Proposed view</b>	There will be minor alteration to the baseline view. Glimpsed views of the roofs/upper limits of the proposed Development will be possible during winter months but these will not be obvious features in the landscape.
<b>Magnitude of change</b>	Low.
<b>Predicted visual effects</b>	Minor to moderate.
<b>Proposed view with landscape mitigation</b>	Very minor alteration to the view. Augmentation of existing hedgerow planting retained to the boundaries of the Site will soften the outline of built form. Within the proposed residential areas, street trees and amenity planting will break up the massing of built form.
<b>Magnitude of change with landscape mitigation in place</b>	Negligible.
<b>Residual Visual Effect – with mitigation in place</b>	Minor

**Table 6-18: Assessment of visual effects – View 4**

View 4 – View south-west from junction of Howes Lane and Shakespeare Drive	
<b>Figure reference</b>	2.5
<b>Distance</b>	Medium
<b>Direction</b>	South west
<b>Season</b>	Winter
<b>Conditions</b>	Clear
<b>Visibility</b>	Very good
<b>Type of receptor</b>	Highway users, residents
<b>Sensitivity</b>	High
<b>Reason for view selection</b>	View from road junction at Howes Lane/Shakespeare Drive
<b>Description</b>	<p>View from pavement along Howes Lane.</p> <p>The Site is located to the centre of the view. Howes Lane runs across the foreground of the view. Verge planting consisting of hedgerow species and mature trees runs alongside the road. Residential properties are found to the left of the view facing Howes Lane. The verge planting continues along Howes Lane to the background of the view.</p>
<b>Proposed view</b>	<p>There will be a minor alteration to the baseline view.</p> <p>Glimpsed views of the roofs/upper limits of the proposed Development will be possible during winter months but these will not be uncharacteristic of the view. The majority of existing mature vegetation will remain and serve to break up and soften the outline of the Development.</p>
<b>Magnitude of change</b>	Low
<b>Predicted visual effects</b>	Minor to moderate
<b>Proposed view with landscape mitigation</b>	<p>Very minor alteration to the view.</p> <p>Intermittent native tree planting and native hedgerow will augment existing retained hedgerows to the boundaries of the Site. This will soften the outline of built form. Within the proposed residential areas, street trees and amenity planting will break up the massing of built form.</p>
<b>Magnitude of change with landscape mitigation in place</b>	Negligible.
<b>Residual Visual Effect – with mitigation in place</b>	Minor

**Table 6-19: Assessment of visual effects – View 5**

View 5 – View west from Howes lane and footpath link to Beckdale Close	
<b>Figure reference</b>	2.6
<b>Distance</b>	Close
<b>Direction</b>	West
<b>Season</b>	Winter
<b>Conditions</b>	Clear
<b>Visibility</b>	Very good
<b>Type of receptor</b>	Highway users, footpath users, residents
<b>Sensitivity</b>	High
<b>Reason for view selection</b>	View from verge at Howes Lane and local footpath link
<b>Description</b>	View from verge along Howes Lane to the Site The Site is located to the middle ground of the view behind the existing hedgerow vegetation running along the length of Howes Lane. To the far left of the view, mature tree planting is visible to the eastern side of Howes lane. The existing hedgerow fills the view.
<b>Proposed view</b>	There will be a substantial alteration to the view The proposed built form will fill the view. The built form will sit behind the existing hedgerow to Howes Lane. The rooftops to the built form will punctuate the skyline in the view.
<b>Magnitude of change</b>	High.
<b>Predicted visual effects</b>	Substantial.
<b>Proposed view with landscape mitigation</b>	Partial alteration to the view. The existing hedgerow planting will be retained to the boundary of the Site and will soften the outline of built form. The hedgerow will be augmented with proposed native hedgerow and tree planting which will serve to break up the outline of the built form. Within the proposed residential areas, street trees and amenity planting will break up the massing of the residential built form.
<b>Magnitude of change with landscape mitigation in place</b>	Medium.
<b>Residual Visual Effect – with mitigation in place</b>	Moderate to substantial



**Table 6-20: Assessment of visual effects – View 6**

View 6 – View west from Beckdale Close	
<b>Figure reference</b>	2.7
<b>Distance</b>	Close
<b>Direction</b>	West
<b>Season</b>	Winter
<b>Conditions</b>	Clear
<b>Visibility</b>	Good
<b>Type of receptor</b>	Residents
<b>Sensitivity</b>	High
<b>Reason for view selection</b>	View from residential properties to Beckdale Close and adjacent properties
<b>Description</b>	View from end of Beckdale Close facing the Site. The Site is located to the centre left of the view behind the existing houses to Beckdale Close. The houses to Beckdale Close fill the foreground and middle distance of the view. Mature trees behind the houses along Howes Lane are visible above the rooftops.
<b>Proposed view</b>	There will be a partial alteration to the baseline view. Glimpsed views of the roofs/upper limits of the proposed Development will be possible but these will not be uncharacteristic of the view. The majority of existing mature vegetation will remain in the view and serve to break up and soften the outline of the Development.
<b>Magnitude of change</b>	Medium.
<b>Predicted visual effects</b>	Moderate to substantial.
<b>Proposed view with landscape mitigation</b>	Minor alteration to the view. Within the proposed residential areas, street trees and amenity planting will break up the massing of built form. Tree planting will augment the existing hedgerow and tree planting along Howes Lane, further softening the outline of the built form. The mitigation will be characteristic of the view.
<b>Magnitude of change with landscape mitigation in place</b>	Low
<b>Residual Visual Effect – with mitigation in place</b>	Minor to moderate

6.7.16 Table 6-21 draws together the significance of the visual effects for the views considered:

**Table 6-21: Predicted significance of visual effects**

			Significance of effects	
View	Sensitivity of receptor	Distance	Without mitigation	With mitigation (Residual Effect)
1.	Medium	Medium	Negligible	No change
2.	High	Long	No change	No change
3.	High	Medium	Minor to Moderate	Minor adverse
4.	High	Medium	Minor to Moderate	Minor adverse
5.	High	Close	Substantial	Moderate to substantial adverse
6.	High	Close	Moderate to substantial	Minor to moderate adverse

*Summary of visual effects*

- 6.7.17 The Development is visible from a range of viewpoints. Due to the low-lying terrain the possibility of long-distance views (over 1km away) of the Development has been considered. However, these views tend to be obscured by the strong network of hedgerow and tree planting around the Site. Views that fall within the medium to close categories are defined more clearly and will be picked up by visual receptors.
- 6.7.18 The significance of the visual effect of the Development can be summarised as ranging from ‘no change’ to ‘substantial’ with no mitigation in place. The majority of these effects if mitigated, as described in the tables above, will be reduced to ‘no change’ to ‘moderate to substantial’. In respect of type of effect, this can be summarised as adverse.
- 6.7.19 It is considered that the Development will only have substantial effect on selected views located within close range of Site where new development will be seen in close proximity. In medium range views from outside the Site the effects are generally ‘negligible to ‘minor to moderate’ adverse.
- 6.7.20 For the purposes of the planning application, potential visual effects of new built form has been taken into consideration, particularly in relation to the size, massing and scale of the buildings. The landscape mitigation (described in section 7) establishes the measures put in place to avoid or reduce adverse visual effects, which include tree planting, augmenting existing hedgerows with

native trees and shrubs, provision of new hedgerow planting, and creation of amenity landscape areas. These aim, as far as possible, to create a harmonious relationship with the landscape setting. The landscape parameter should therefore be seen as a 'minimum' provision.

- 6.7.21 In all views, significant mitigation measures comprising the augmentation of existing retained vegetation with proposed native hedgerows, and the planting of trees to the residential and amenity park areas, will serve to screen and filter views, and will soften and break up the building outline. These mitigation measures will also better assimilate the proposed Development into the existing landscape context.
- 6.7.22 The Site is allocated for residential development in the Local Plan (**Ref. 2**). The predicted level of visual effects for the proposed Development described above, are consistent with the allocation of the Site for residential use. Therefore the proposed visual effects of the Development will be characteristic of the nature of this type of use.
- 6.7.23 The landscape mitigation proposals described above will be developed further at the Reserved Matters stage. There will be a considered balance of sensitively designed, integrated built form within the landscape, and structured landscape mitigation. Forty percent of the Site will be green infrastructure, adhering to planning requirements, and this will create a robust landscape setting for the built form. **[suggest you add something here to refer to quality of design important in reserved matters application which will influence the effect]**

## 6.8

### 6.8.24

- f.
- g.
- h.
- i.
- j.

### 6.8.25

- f.
- g.
- h.
- i.
- j.

6.8.26

6.8.27

## 6.9 Lighting Effects

### Assessment of Effects

- 6.9.1 Any development taking place on the Site will be subject to an internal and external lighting scheme, the detail of which will be set out and agreed at the Reserved Matters stage. For the purposes of this assessment the following lighting proposal has been assumed: street lighting to access and secondary residential roads.
- 6.9.2 It can be concluded that a greater level of development and general use later into the evening will increase lighting level throughout the Site. Lighting is therefore likely to be generated throughout the evening from those parts of the Site that are developed. The proposed Development will be visible at night from vantage points within the ZTV.
- 6.9.3 The suburban residential setting is in close proximity to the Development therefore the sensitivity of the receptor is high, and lighting effects without mitigation are predicted to be ‘moderate to substantial’ adverse.

### Mitigation and Residual Effects

- 6.9.4 The amount of light and ‘throw’ or ‘spill’ can be mitigated and reduced through the use of appropriate shrouds, angled fittings, and low energy light fittings.
- 6.9.5 Taken within the context of these mitigation measures and the existing urban and urban fringe setting which already produces a high level of night time lighting and light spill, it can be concluded that there will be encroachment of night-time lighting effects off Howes Lane. However, these effects will be localised and will not provide any significant change in the overall light level effects on the surrounding area. Effects on landscape character and visual amenity due

to lighting are therefore to be assessed as being 'minor to moderate' adverse.

## 6.10 Cumulative Effects

- 6.10.1 Refer to Figure 3.1 Cumulative assessment baseline area in Appendix 6.1 throughout this section:
- 6.10.2 The purpose of cumulative landscape and visual effects is to identify additional changes caused by a proposed development in conjunction with other similar developments, or as the combined effect of a set of developments taken together<sup>5</sup>.
- 6.10.3 The assessment of cumulative effects in this report focuses specifically on the *additional* effects of the Development in light of the adjacent development proposals to the Eco-Town, as opposed to the *combined* effects of all the past, present and future proposals together with the proposed development Site assessed in this report.
- 6.10.4 The Eco-Town allocation area as set out in the CDC Local Plan<sup>3</sup> is a total of 390 hectares, of which the Site described in this report is approximately 6.5 hectares. Outline planning applications for adjacent plots to the Site have submitted to Cherwell District Council. For the purposes of the cumulative assessment, we have [considered all the schemes within the Eco-Town allocation \(refer to drawing North West Bicester Cumulative sites plan\\_25000A3\\_160217-01\)](#). A number of these sites will have no direct effect on the receiving landscape, or be visible within the selected viewpoints, and therefore have been discounted within this cumulative assessment. However, there are two plots adjacent to the Site that will have an effect on landscape and visual receptors: the Himley Village development (Planning application reference: 14/02121/OUT) and the North West Bicester Application 2 site (Planning application reference 14/01641/OUT) (**Fig. 3.1**). These sites both fall within the range of the ZTV (see **Fig. 1.9**) and are therefore considered appropriate within the GLVIA guidelines for a suitable cumulative baseline study area for the purposes of this report. For the purposes of this assessment we have conjoined these two applications for adjacent developments and considered them as a whole.
- 6.10.5 The timeline for these two developments is subject to planning approval from Cherwell District Council, as well as future enabling works such as access roads and necessary infrastructure. However, for the purposes of this assessment, they are considered for their future potential development in light of the Development at Howes Lane, and the predicted cumulative landscape and visual effects resulting from the development of the Site.
- 6.10.6 The Application 2 site proposals consist of a primary school, secondary school, mixed density

housing, and access roads, with the retention of some existing hedgerow field boundaries. Building heights will range from 11 to 20m high to ridgeline, with a mixture of dwelling types. The proposals also include the retention and augmentation of the Langford Brook, and hedgerow planting which will buffer the edges of the development. A public bridleway running through the site will be retained.

- 6.10.7 The Himley Village site proposals consist of predominantly residential dwellings with a network of open spaces and hedgerow corridors interlinking throughout the site. Existing woodland to the eastern boundary of the site. Building heights range from 4 to 19m with a range of densities.
- 6.10.8 A proposed road and associated junctions is proposed and granted full planning consent as part of the enabling works for future development on the Eco-Town sites.
- 6.10.9 The level of landscape and visual effects remain adverse when the Development is assessed in isolation. However, when we take into consideration the Himley Village and Application 2 sites, it is considered that the addition of the proposed Development at Howes Lane will not increase the level of effects; therefore there are no greater adverse effects by considering the Development in light of these additional future development plots.

#### *Cumulative landscape effects*

- 6.10.10 The cumulative assessment area falls within the 'Agricultural' landscape character areas (**Fig. 1.8**). This character area has been identified in section 6.4 of this report as an area with a recognisable pattern of vegetated field boundaries and network of public footpaths. The landscape condition is considered 'good', with 'medium' value and 'medium' sensitivity. The landscape character is described as capable of accepting a limited amount of change, which could be accommodated with some adverse effects.
- 6.10.11 With the future Eco-Town proposals identified on **Figure 3.1** the landscape character will alter substantially to a suburban landscape character, similar to the 'Bicester suburban residential' landscape character area identified on **Figure 1.8**.
- 6.10.12 The predicted future landscape character is described as follows:

A mixture of suburban residential housing and educational and commercial buildings, typically 2 to 4 storeys in height. The massing is arranged along a network of residential-scale streets with boulevard planting. The built form is broken up with large areas of new woodland and amenity planting, areas of public open space, which includes swales and parkland planting. Boundaries

within the landscape are defined by areas of proposed tree and hedgerow planting, which augment areas of existing green infrastructure.

- 6.10.13 Overall, the landscape condition can be described as ‘moderate’ due to the legible hierarchy of streets and open spaces, and the retention and augmentation of large areas of green infrastructure. In terms of landscape value the area is ‘good’ as there are no landscape designations. However the retention and strengthening of public access connections and green infrastructure are important to the local context. Due to the extent of the built form to the landscape, it is considered that change to the setting of this area can be accommodated with little or no adverse effect, such that the sensitivity of this area is therefore considered to be ‘low’.
- 6.10.14 In light of the Site at Howes Lane, it is considered that the Development would result in a ‘high’ magnitude of change to the landscape character, as there will be an encroachment of built form on the landscape with some loss of field pattern and hedgerow boundary structure. The predicted cumulative landscape effect is therefore considered ‘substantial’ adverse. However, the predicted cumulative landscape effects to the Site will be no greater than the Himley Village and Application 2 sites when these are taken into consideration with the Development proposals at Howes Lane.
- 6.10.15 Mitigation proposals include the retention and augmentation of hedgerows, increased tree cover on Site, and the breaking up of built form with tree planting. Areas of amenity landscape, which includes swales and native woodland planting will not be uncharacteristic of the landscape. With these mitigation proposals, the cumulative landscape effects are reduced to ‘moderate’ adverse, with a very minor loss of landscape character resulting from the Development proposals.
- 6.10.16 In summary, the Development, taken into account with future adjoining development sites, is predicted to have landscape effects ranging from ‘no change’ to ‘substantial’ adverse. With landscape mitigation in the Development taken into account, landscape effects are reduced to ‘moderate’ adverse. The level of landscape effects is entirely consistent with the allocation of the site for residential and employment use under the Local Plan. The landscape effects on the Site at Howes Lane will be no greater than those of the Himley Village and Application 2 sites when considered in isolation.

### *Cumulative visual effects*

- 6.10.17 Within the cumulative baseline area, the visual effects of the Site must be taken into account in

light of the future development proposals on the adjacent plots of Application 2 and Himley Village.

6.10.18 The visual effects for the purposes of this report are considered for their *combined* effect, that is, where two or more developments would be within the observer's arc of vision at the same time, without moving their vision, as described within the GLVIA<sup>5</sup>. The viewpoints shown in **Figures 2.2** to **2.7** of Appendix 6.1 are described below for their cumulative visual effects. An additional view form within the Application 2 site is described to better understand how the development proposals may visually affect receptors of these future sites. This is shown on **Figure 3.1**. The landscape mitigation measures will be as described in paragraph 6.5.43 above.

6.10.19 Viewpoint 1 (**Fig. 2.2**): View east along Middleton Stoney Road adjacent to entrance of Himley Farm

The proposed view of the Site will be blocked by the Himley Village development along Middleton Stoney Road. The view will consist of the existing hedgerow to the road with new tree planting behind. The outline of residential and mixed use buildings to Himley Village will be visible. With the Development proposals, there will be no change to the view, and no change to the predicated visual effects. Consequently, with mitigation, predicted visual effects will also result in no change to the view.

6.10.20 Viewpoint 2 (**Fig. 2.3**): View south from public bridleway 148/4

The rooftops to the Himley Village and Application 2 developments may be discernible in the view, particularly those buildings of 4 storeys or more. The Development proposals for the Site however will be blocked in the view. There will be no change to the visual effects without, and with, mitigation.

6.10.21 Viewpoint 3 (**Fig. 2.4**): View south-west from public bridleway 129/9

The proposed view will be encompassed within the Application 2 development plot. The Development will not be visible as new built form will fill the middle ground of the view. New hedgerow planting alongside the public bridleway will further fill the view. The visual effects of the Development can therefore be said to result in no change without, and with, mitigation.

6.10.22 Viewpoint 4 (**Fig. 2.5**): View south-west from junction of Howes Lane and Shakespeare Drive



Built form to the Application 2 development plot, and the new access road layout, will fill the foreground of the view. The Development of the Site at Howes Lane will not be visible as Application 2 built form proposals will fill the middle ground of the view. The visual effects of the Development can therefore be said to result in no change without, and with, mitigation.

#### 6.10.23 Viewpoint 5 (**Fig. 2.6**): View west from Howes lane and footpath link to Beckdale Close

The built form to the adjoining development proposals at Himley Village and the Application 2 site will not be visible in the view. The proposed built form to the Site at Howes Lane will sit behind the existing hedgerow to the foreground of the view. The rooftops to the built form will punctuate the skyline in the view. The cumulative visual effects will not be relevant within this view as the adjoining cumulative development sites are not discernible in the view.

#### 6.10.24 Viewpoint 6 (**Fig. 2.7**): View west from Beckdale Close

Within the proposed view, the roofs/upper limits of the Development will be discernible, but these will not be uncharacteristic of the view. The majority of existing mature vegetation will remain in the view and serve to break up and soften the outline of the Development. Based on the building height parameters for the Himley Village proposals set at a maximum of 19m, the rooftops to the built form may be discernible behind the Development in the view. The visual effects are therefore predicted to be 'minor adverse'. With mitigation, this is reduced to 'negligible'.

#### 6.10.25 Viewpoint 7 from within the Application 2 (**Fig. 3.1**) site:

The viewpoint is located approximately within the secondary school grounds, looking south towards the Site. The visual receptor sensitivity is likely to be high, due to the proximity of residential development and building users. It is predicted that the view will consist of boundary treatments and tree planting to the foreground, with some built form, such as adjacent school buildings also visible in the view. With the Development proposals to the Site, the upper storeys and rooftops to the built form are predicted to be visible to the background of the view. There will be some loss of openness to the view as the rooftops may punctuate the skyline, however the built form will not be uncharacteristic of the view given the prevalence of surrounding residential development. The magnitude of change is considered to be low, and the predicted visual effect is therefore considered 'minor to moderate adverse'.

#### 6.10.26 With mitigation, there will be new hedgerow and tree planting to the northern boundary of the

Site, with some tree planting to the residential streets, breaking up and softening the built form. As a result, the magnitude of change in the view with mitigation is considered 'negligible' and the predicted visual effect reduced to 'minor' adverse.

- 6.10.27 The cumulative visual effects of the Development on the Site for **Figures 2.2 to 2.7** will result in 'no change' when taken alongside the Himley Village and Application 2 proposals. On **Figure 3.1**, viewpoint 7 has been chosen to assess the likely predicted visual effects of the Development proposals from potential future development plots. Here, the predicted visual effect is considered 'minor to moderate'. From this viewpoint, the Development at Howes Lane is not uncharacteristic of the setting, and is consistent with the allocation of the Site for residential use. Therefore there will be no demonstrable additional adverse cumulative visual effect with the additional built form in the view. With mitigation within the Development taken into account, it is considered that any predicted visual effect will be reduced to 'minor'. These effects will be adverse.
- 6.10.28 Overall, the cumulative assessment demonstrates there will be no adverse additional visual effects when the Howes Lane Development is taken into consideration alongside the developments at the Himley Village and NW Bicester Application 2 sites. The Site does not increase the visual effects to receptors from the assessed viewpoints when taken into conjunction with the adjacent development sites, nor is there an overall increase in the level of effects when all three sites are combined together.

## Summary

- 6.10.1 The Site is located on the western outskirts of Bicester, Oxfordshire. It is adjacent to Howes Lane. The Site is 6.5 hectares. It is currently used as arable farmland and pasture. The Site is allocated for residential use under policy Bicester 1 of the Local Plan<sup>3</sup>. The Site within this report is located to the south-eastern corner of the Bicester 1 Eco-Town allocation area.
- 6.10.2 The planning application is for a residential scheme and access road. Parameter Plans have been produced for the outline residential element of the Development, which accommodates circa 150 dwellings, residential access roads and amenity landscape, including playground, park and swales. The section of the NW Strategic Link Road which passes through the Site is submitted in detail.
- 6.10.3 For the purposes of the assessing the potential landscape and visual effects of the Development, the built development was modelled to the maximum heights prescribed by the Parameter Plans, which form the basis of the outline planning application.. In addition, for the purposes of this report, the modelling of the development proposals have been produced using an illustrative

layout, which is representative of the likely form and massing of this type of development. This is in line with GVLIA<sup>5</sup> guidelines. The predicted landscape and visual effects, and their predicted residual effects, have been assessed in line with the methodology set out in section 5 of this report.

### *Construction Effects*

- 6.10.4 The effects on the landscape during construction will be limited and temporary and will be no greater than the long term effects of the proposed Development. Again, landscape impacts are to be expected in relation to any form of development taking place on a site.

### *Completed Development*

#### *Landscape effects*

- 6.10.5 The effect of the existing landscape character due to the Development is considered to range from 'minor to moderate' to 'substantial' adverse. However, substantial effects are limited to the site area only; since it is likely that development on the Site would cause a substantial alteration to the Site's character. With mitigation proposals in place, landscape effects to the site would be reduced to 'moderate' adverse. For all other character areas, with mitigation proposals in place, these effects would be reduced to 'negligible' to 'minor' adverse.
- 6.10.6 With regards to the effect of the Development upon the landscape character of the Site, the magnitude of landscape effects will be high in the instance of the Site and its immediate context. However, a degree of change can be accommodated without detriment to the character of the wider landscape setting. This is due to the presence of existing urban settlement orientated south/south-east of the Site, and the introduction of native tree and hedgerow planting, which is not uncharacteristic of the receiving adjacent landscape. The landscape effects are consistent with the allocation of the Site under the Local Plan, with the principle of development established for residential and employment use.

#### *Visual effects*

- 6.10.7 Viewpoint locations range within a 1.5km radius to the centre of the Site.
- 6.10.8 The predicted visual effects of the Development range from 'no change' to 'substantial'. With mitigation, the predicted visual effects are reduced to 'no change' and 'moderate to substantial'. These effects will be adverse.

- 6.10.9 The most substantial changes are to those viewpoints within close range (250m or less) of the Site. For all other viewpoints, the predicted visual effects with mitigation ranges from 'no change' to 'minor' adverse.
- 6.10.10 The mitigation proposals assimilate the Development to the adjacent context. Mitigation proposals include street planting between house plots, buffer planting to Site edges and to adjacent residential properties, and native tree and woodland planting to areas of open space within the Site. The mitigation proposals reduce the visual effects of the Development and are characteristic of vegetation of the surrounding area.
- 6.10.11 The visual effects of the Development are consistent with the allocation of the Site under the Local Plan, with the principle of development established for residential and employment use.

#### *Lighting effects*

- 6.10.12 There is potential for long term effects during the night time periods due to additional light throw; however, these impacts are lessened when the amount of lighting in the current surrounding suburban context is taken into consideration. Development typical of the type allocated to the Site will require lighting both within buildings and externally. With the form of building proposed and the setting of the built form to the centre of the Site, there will be relatively little internal lighting visible within the receiving landscape.

#### *Cumulative landscape and visual effects*

- 6.10.13 A cumulative assessment of the landscape and visual effects of the Site has been undertaken due to the nature of the Eco-town allocation and scale and proximity of future development areas in relation to the Site considered in this report. There are several future development plots which have been considered for the assessment. However, a number of these will have no direct effect on the receiving landscape, or be visible within the selected viewpoints. Two future development plots, the NW Bicester Application 2 site, and Himley Village, are considered within the cumulative assessment as these are located adjacent to the scheme and fall within the ZTV.
- 6.10.14 The cumulative landscape effects are predicted to result in a 'high' magnitude of change to the landscape character, with a 'substantial' adverse landscape effect, as there will be encroachment of built form on the landscape and some loss of field and hedgerow pattern. With mitigation, these effects are reduced to 'moderate'. However, these effects are no greater than when the

Development to Howes Lane is assessed in isolation, due to the transformational nature of the development to the receiving landscape character. Therefore, the predicted cumulative landscape effects to the site will be no greater when the Himley Village and Application 2 sites are taken into consideration alongside the Development at Howes Lane.

6.10.15 The predicted cumulative visual effects of the Development ranges from the locations shown in Appendix 6.1, **Figures 2.2 to 2.7** are considered to result in 'no change'. With the addition of viewpoint 7 shown on **Figure 3.1**, the cumulative visual effect of the Development are predicted to be 'minor to moderate' adverse. With mitigation, it is considered that any predicted visual effect will be reduced to 'minor' adverse. Overall, it is considered that the Development is not uncharacteristic of the setting into which it would be received, and therefore there will be no demonstrable additional adverse cumulative visual effect with the additional development proposals from both outside and inside the future plots of Himley Village and the NW Bicester Application 2 site.

**Table 6-22 Summary of Effects of the Development**

Potential Effect	Significance of Effect	Mitigation measures	Residual effect (post-mitigation)
<b>Construction</b>			
Material stockpiling; Lighting of the works; Movement and activity of construction equipment and plant; Increase of heavy traffic to site; Other site-related activities	'Substantial' adverse – <i>construction effects will be transformational on Site itself and will have visual and landscape effects on the local residential setting.</i>	Screening of the site with temporary hoarding; Managed working hours; Controlled access points; Considered location of stockpiles and equipment; Considered location of temporary buildings and cabins.	'Substantial' adverse – <i>construction effects however will be short term and temporary; and no greater than the duration of construction itself</i>
<b>Completed Development</b>			
Landscape effects	'Minor' to 'substantial' adverse – <i>substantial landscape effects will be limited to the Site itself</i>	10m hedgerow buffers to existing retained hedgerows; attenuation swales; native tree and woodland planting to parkland areas; residential street tree planting; new native hedgerow planting	'Negligible' to 'moderate' adverse
Visual effects	'No change' to 'substantial' adverse – <i>substantial visual effects are limited to close range views of the Site only (250m or less from the Site)</i>		'No change' to 'moderate to substantial' adverse
<b>Lighting Effects</b>			
Increased light throw within development; light spill to adjacent residential setting	'Moderate to substantial' – <i>visual intrusion and sensitivity of residential setting</i>	Use of shrouds, angled fitting and low energy light fittings	'Minor to moderate' adverse
<b>Cumulative effects</b>			
Landscape effects	'No change' to 'Substantial' adverse – <i>substantial cumulative landscape effects will be limited to the Site itself</i>	10m hedgerow buffers to existing retained hedgerows; attenuation swales; native tree and woodland planting to parkland areas; residential street tree planting; new native hedgerow planting	'No change' to 'moderate' adverse
Visual effects	'No change' to 'minor to moderate' adverse		'No change' to 'minor' adverse

## NON-TECHNICAL SUMMARY

- 6.10.1 The baseline conditions identify the existing conditions to the Development. These include topography, existing vegetation, patterns of urban settlement and landscape character areas. The analysis of the baseline conditions establishes the context in which the predicted landscape and visual effects of the Development are assessed.
- 6.10.2 The site is allocated for mixed-use development, therefore both landscape and visual effects are to be anticipated. The effect of the existing landscape character due to the proposed Development is considered to range from 'minor to moderate' to 'substantial' adverse. However, substantial effects are limited to the site area only. With mitigation these effects would be reduced to 'minor' to 'moderate' adverse.
- 6.10.3 In respect of effect upon visual amenity, it is considered that the proposals will have a substantial effect on localised views from within the site or immediately at its edges – as would be the case with the form of development as per the allocation.
- 6.10.4 Visual effects these range from 'minor to moderate' to 'substantial'. The nature of these effects on the visual amenity will generally be adverse but again, 'substantial' effects are limited to short range views only. These effects will however, be reduced when the proposed mitigation measures are taken into consideration. 'Moderate to substantial' effects will occur in close proximity for any form of development proposals brought forward that are typical of the allocation.
- 6.10.5 With regard to the effect of the Development proposals upon the landscape character of the site, it is considered that although the magnitude will be high in the instance of the site and its immediate environs, the degree of change can be accommodated without detriment to the character of the wider landscape setting. The assessment of cumulative effects also demonstrates that the Development will result in minor alteration to the landscape character if future development to the Eco-Town is taken into consideration.
- 6.10.6 Overall, it is considered that the Development can be integrated without substantial harm to the landscape context. The landscape has some capacity to absorb change due to the presence of existing, extensive areas of suburban development, existing landform and presence of retained hedgerows and vegetation which form defensible boundaries. This is partially countered by the visibility of the site from existing adjacent properties, however it

has been demonstrated that the predicted visual and landscape effects can be reduced through effective mitigation, which is not uncharacteristic of the surrounding landscape.



## BIBLIOGRAPHY

- <sup>1</sup> Department for Communities and Local Government (DCLG), 2012. *National Planning Policy Framework*.
- <sup>2</sup> DCLG, 2009, *Planning Policy Statement, Eco-towns: planning policy statement 1 (supplement) (updated 2015)*, July 2009
- <sup>3</sup> Cherwell District Council, 2015, *Cherwell Local Plan 2011-2031 Part 1*, July 2015.
- <sup>4</sup> Cherwell District Council and Oxford County Council, 2016, *North West Bicester Masterplan Supplementary Planning Document*, February 2016
- <sup>5</sup> *Guidelines for Landscape and Visual Effect Assessment (GLVIA)* Third edition, Published by the Landscape Institute and the Institute of Environmental Management & Assessment (IEMA), URL: <http://www.iema.net/news/glvia3-guidelines-now-available>
- <sup>6</sup> *Visual representation of wind farms*, version 2.1 (December 2014) Scottish Natural Heritage. Link to PDF – <http://www.snh.gov.uk/planning-and-development/renewable-energy/visual-representation/>
- <sup>7</sup> *National Character Areas (2012) published by Natural England*. URL: <http://publications.naturalengland.org.uk/category/587130> - Cotswolds Landscape Character Area no. 107
- <sup>8</sup> *Tree survey – Site off Howes Lane, Bicester* by CBA Trees Ltd. (Ref: CBA10710 v.1), February 2017
- <sup>9</sup> *BS5837(2012) Trees in relation to design, demolition and construction – Recommendations* Published by the British Standards Institution. URL: <http://shop.bsigroup.com/ProductDetail/?pid=00000000030213642>
- <sup>10</sup> Oxfordshire Wildlife & Landscape Study (OWLS) URL: <http://owls.oxfordshire.gov.uk/wps/wcm/connect/occ/OWLS/Home/Oxfordshire+Landscape+Types/>

**PINS REF:** APP/C3105/W/22/3304021

**LPA:** Cherwell District Council

**LPA REF:** (21/03177/F)

Land at Middleton Stoney Road & Howes Lane, Bicester.

**Written Statement – Landscape & Visual Issues, 1<sup>st</sup> September 2022 Appendix GD A Part 2  
- ES, Volume I, LVA Chapter 6, Section 6.7 - Figures**

Guy Denton, BA (hons), DipLA (hons), CMLI, AoU

For  
Albion Land

Land off Howes Lane, Bicester  
Landscape & Visual Assessment figures with  
cumulative development



March 2017

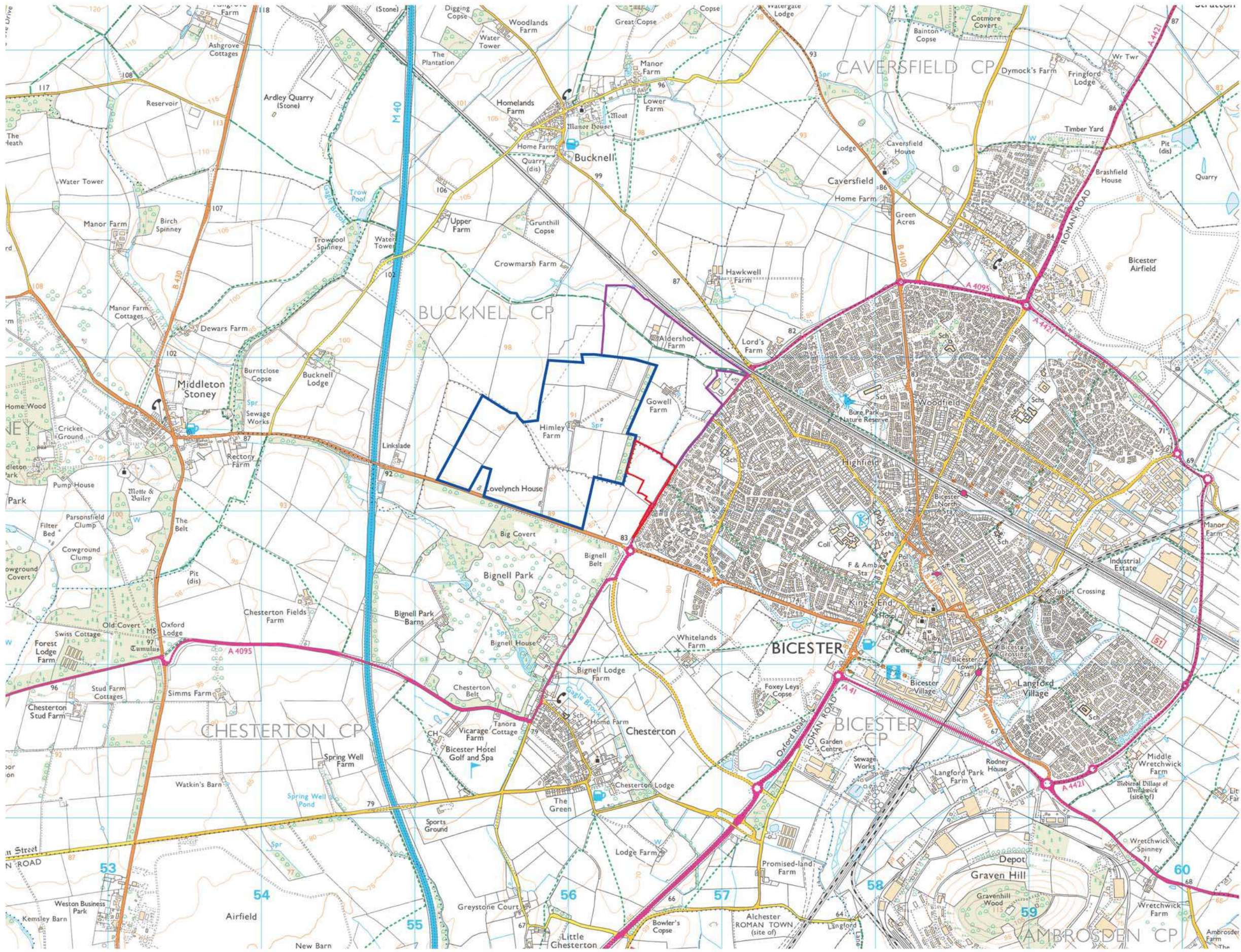
Revision A: 25th April 2017

# Figures

1. Views with cumulative development proposals
  - 1.1. Site location
  - 1.2. Viewpoint locations
  - 1.3. View 1
  - 1.4. View 2
  - 1.5. View 3
  - 1.6. View 4
  - 1.7. View 5
  - 1.8. View 6

Revision A (25th April 2017):

Views 2, 3, 4, and 6 have been amended for both the proposed views and views with mitigation after 10 years.



**Key:**

- Site boundary
- Himley Village Site boundary
- Application 2 - North of Howes Lane Site boundary

**Notes:**

OS Licence:  
100041041

Blackwells ID:  
BW1-00574687 (8th November 2016)

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Drawing status -  
**FOR INFORMATION**

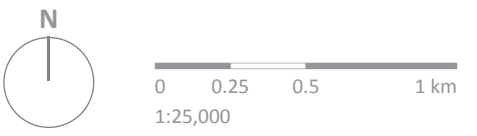
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Albion Land

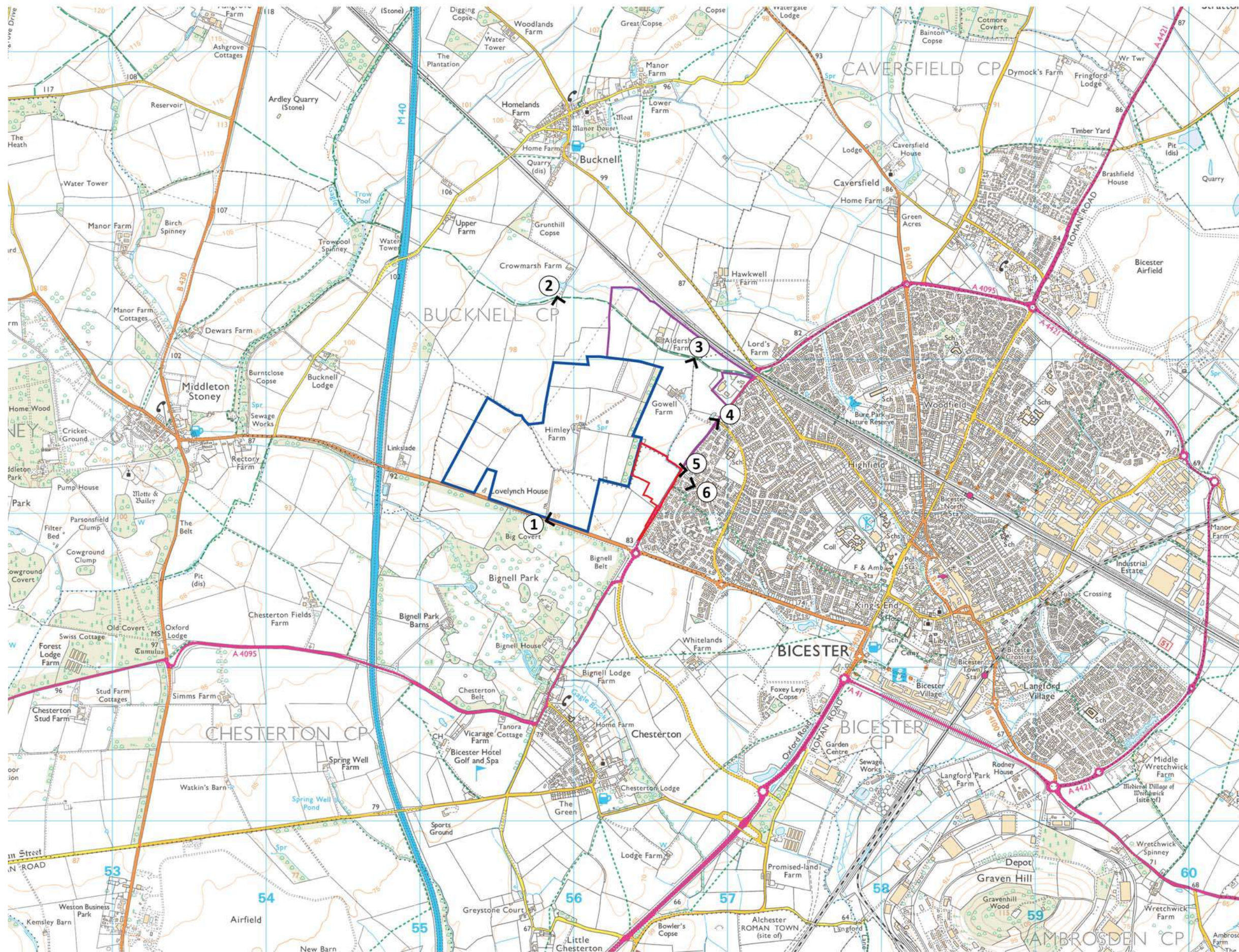
Project -  
Land off Howes Lane,  
Bicester

Drawing title -  
1.1 Site location

Drawing scale - 1:25,000	Drawn by - AF	Drawn date - 10.03.2017
Paper size - A3	Checked by - GD	Checked date - 10.03.2017
Drawing number - RF16-375-WP-04	Revision - A	

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Key:

- Site boundary
- Himley Village Site boundary
- Application 2 - North of Howes Lane Site boundary
- 2 Viewpoint

Notes:

OS Licence:  
100041041

Blackwells ID:  
BW1-00574687 (8th November 2016)

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Drawing status

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Client

Albion Land

Project

Land off Howes Lane,  
Bicester

Drawing title

1.2. Viewpoint locations

Drawing scale

1:25,000

Drawn by

AF

Drawn date

10.03.2017

Paper size

A3

Checked by

GD

Checked date

10.03.2017

Drawing number

RF16-375-WP-04

Revision

A

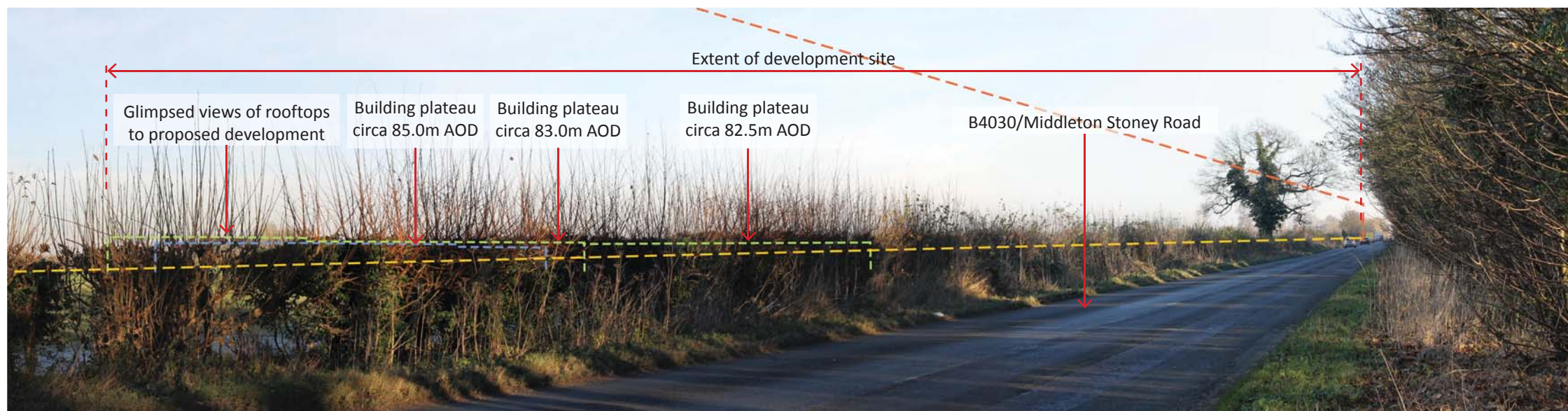
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View 1: Existing  
East along Middleton Stoney Road adjacent Himley Farm



View 1: Proposed view  
East along Middleton Stoney Road adjacent Himley Farm



View 1: Proposed view with mitigation (after 10 years)  
East along Middleton Stoney Road adjacent Himley Farm

Notes:

Easting: 455856

Northing: 222941

AOD: 90m

Approximate distance from centre of site: 730m

Building height zones shown in dashed line:

--- 12m maximum building height

--- 16m maximum building height

Refer to Chetwoods Architects' drawing: Parameter Plan 03 Residential Building Heights 4216\_PPL\_03

Himley Village development building heights:

--- 4m minimum building height

--- 16m maximum building height

Refer to figure 4.2.3 - Building Height Parameter Plan in Himley Village D & A (Penoyre & Prasad)

Building plateaux levels are based on approximate mean level for each Development Zone

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Drawing status

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Client

Albion Land

Project

Land off Howes Lane,  
Bicester

Drawing title

1.3. View 1 with cumulative developments

Drawing scale

N/A

Drawn by

AF

Drawn date

10.03.2017

Paper size

A3

Checked by

GD

Checked date

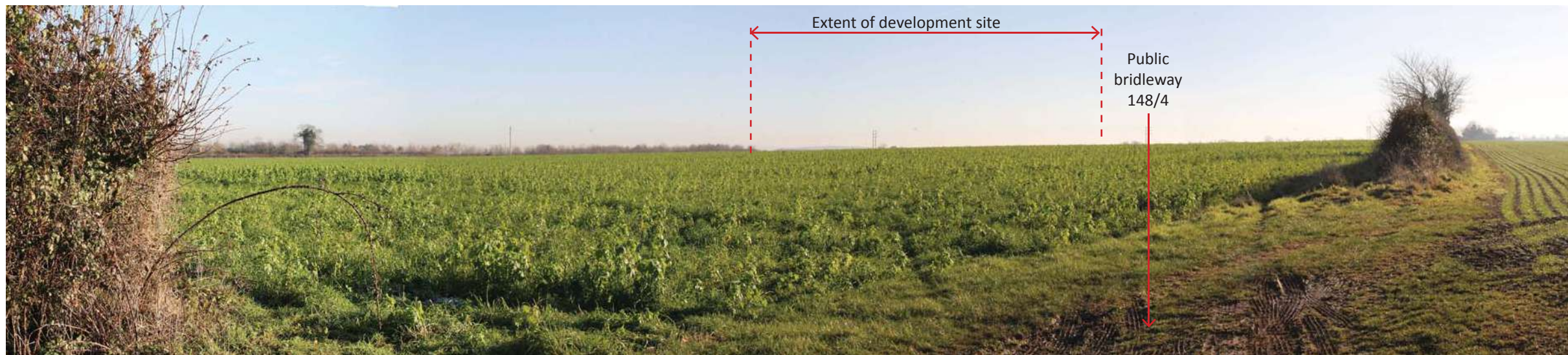
10.03.2017

Drawing number

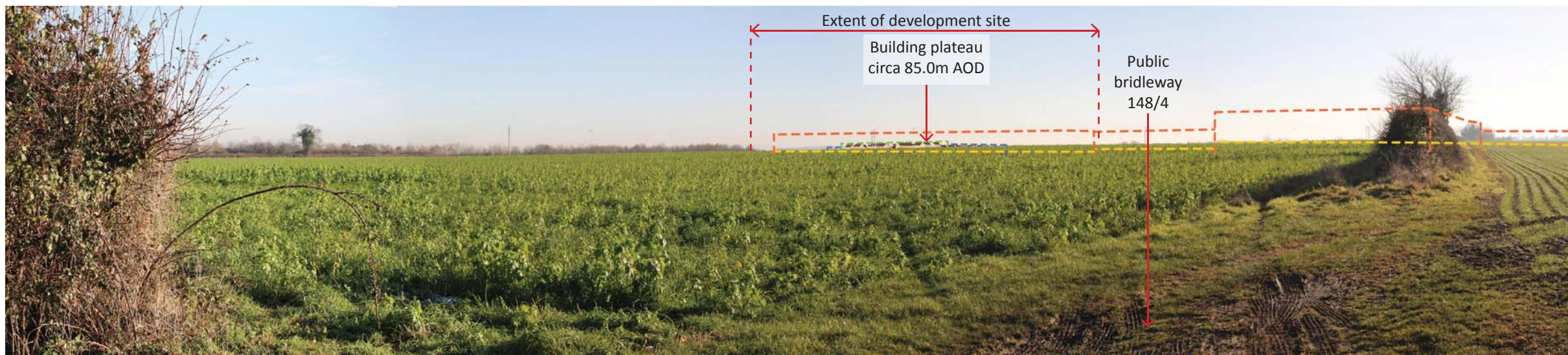
RF16-375-WP-04

Revision

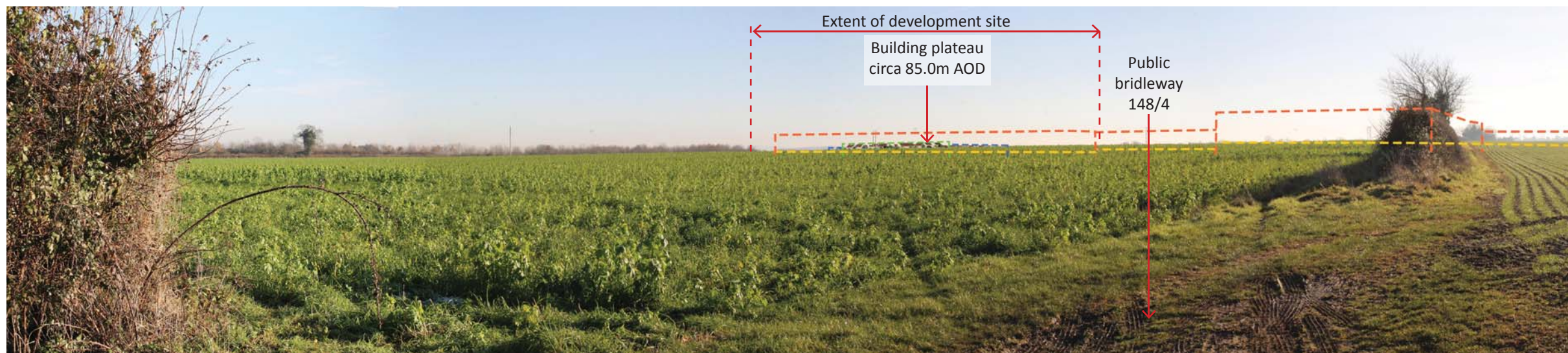
A



View 2: Existing  
South from public bridleway 148/4



View 2: Proposed - no change in the view  
South from public bridleway 148/4



View 2: Proposed with mitigation (after 10 years) - no change in the view  
South from public bridleway 148/4

Notes:

Easting: 455893

Northing: 224386

AOD: 92m

Approximate distance from centre of site: 1300m

Building height zones shown in dashed line:

- - - 12m maximum building height
- - - 16m maximum building height

Refer to Chetwoods Architects' drawing: Parameter Plan 03 Residential Building Heights 4216\_PPL\_03

Himley Village development building heights:

- - - 4m minimum building height
- - - 19m maximum building height

Refer to figure 4.2.3 - Building Height Parameter Plan in Himley Village D & A (Penoyre & Prasad)

Building plateaux levels are based on approximate mean level for each Development Zone

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Drawing status:

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Client:

Albion Land

Project:

Land off Howes Lane,  
Bicester

Drawing title:

1.4. View 2 with cumulative developments

Drawing scale:

N/A

Drawn by:

AF

Drawn date:

10.03.2017

Paper size:

A3

Checked by:

GD

Checked date:

10.03.2017

Drawing number:

RF16-375-WP-04

Revision:

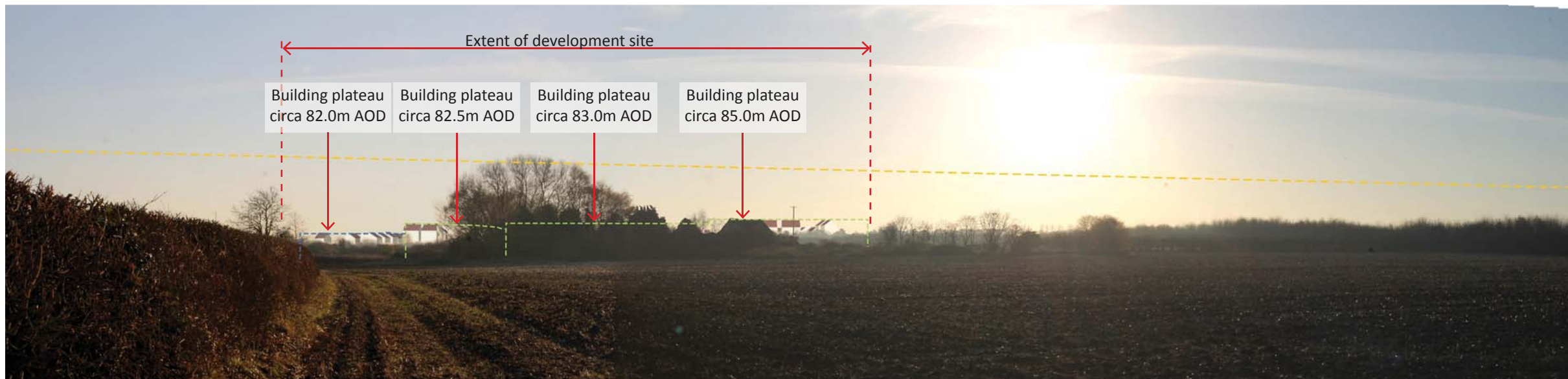
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View 3: Existing  
South-west from public bridleway 129/9



View 3: Proposed view  
South-west from public bridleway 129/9



View 3: Proposed view with mitigation (after 10 years)  
South-west from public bridleway 129/9

Notes:

Easting: 456780

Northing: 224001

AOD: 88m

Approximate distance from centre of site: 820m

Building height zones shown in dashed line:

--- 12m maximum building height

--- 16m maximum building height

Refer to Chetwoods Architects' drawing: Parameter Plan 03 Residential Building Heights 4216\_PPL\_03

Application 2 development building heights:

--- 4m minimum building height

--- \*15m maximum building height

Refer to figure BIM6 213D - Building Height Parameter Plan in Application 2 North of Howes Lane D & A (Farrells)

\*Maximum building height is outside the extents of the view

Building plateaux levels are based on approximate mean level for each Development Zone

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Drawing status

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Client

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Project

Land off Howes Lane,  
Bicester

Drawing title

1.5. View 3 with cumulative developments

Drawing scale

N/A

Drawn by

AF

Drawn date

10.03.2017

Paper size

A3

Checked by

GD

Checked date

10.03.2017

Drawing number

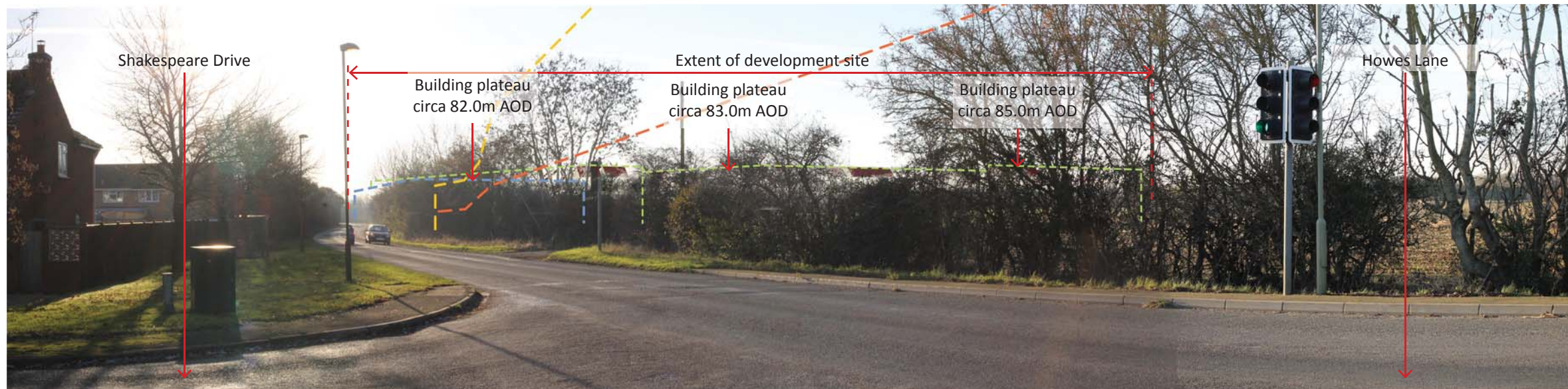
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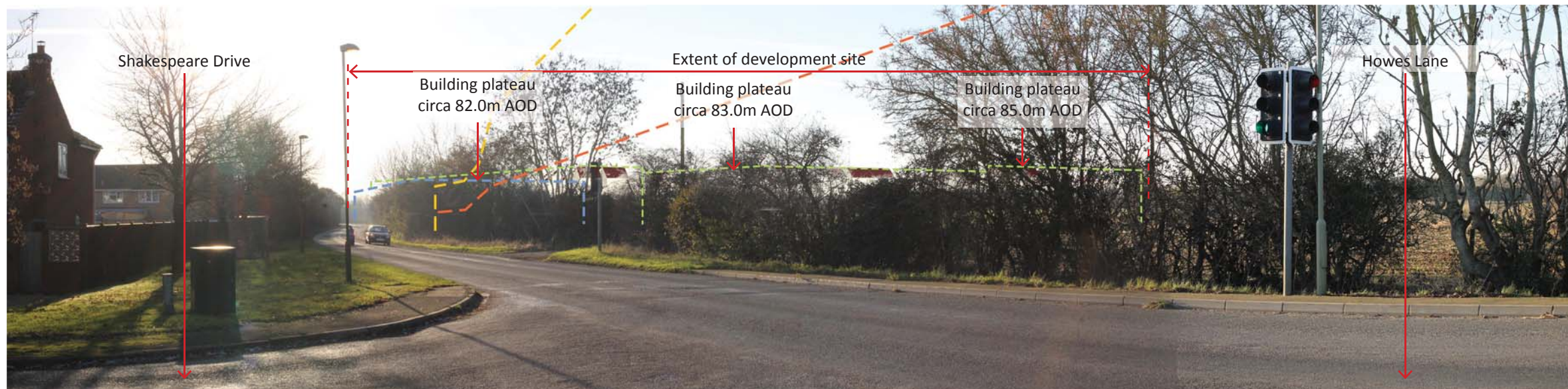
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View 4: Existing view  
South-west from junction of Howes Lane and Shakespeare Drive



View 4: Proposed view  
South-west from junction of Howes Lane and Shakespeare Drive



View 4: Proposed view with mitigation (after 10 years)  
South-west from junction of Howes Lane and Shakespeare Drive

Notes:

Easting: 456945

Northing: 22598

AOD: 84m

Approximate distance from centre of site: 575m

Building height zones shown in dashed line:

--- 12m maximum building height

--- 16m maximum building height

Refer to Chetwoods Architects' drawing: Parameter Plan 03 Residential Building Heights 4216\_PPL\_03

Application 2 development building heights:

--- 4m minimum building height

--- 11m maximum building height

Refer to figure BIMP6 213D - Building Height Parameter Plan in Application 2 North of Howes Lane D & A (Farrells)

Building plateaux levels are based on approximate mean level for each Development Zone

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Drawing status

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Client

Albion Land

Project

Land off Howes Lane,  
Bicester

Drawing title

1.6. View 4 with cumulative developments

Drawing scale

N/A

Drawn by

AF

Drawn date

10.03.2017

Paper size

A3

Checked by

GD

Checked date

10.03.2017

Drawing number

RF16-375-WP-04

Revision

A

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View 5: Existing view  
West from Howes Lane/footpath link to Beckdale Close



View 5: Proposed view  
West from Howes Lane/footpath link to Beckdale Close



View 5: Proposed view with mitigation (after 10 years)  
West from Howes Lane/footpath link to Beckdale Close

Extent of development site

Howes Lane

Building plateau  
circa 82.5m AOD

Howes Lane

Extent of development site

Building plateau  
circa 82.5m AOD

Howes Lane

Extent of development site

Notes:

Easting: 456704

Northing: 223278

AOD: 82m

Approximate distance from centre of site: 200m

Building height zones shown in dashed line:

- 12m maximum building height
- 16m maximum building height

Refer to Chetwoods Architects' drawing: Parameter Plan 03 Residential Building Heights 4216\_PPL\_03

Himley Village development building heights:

- 4m minimum building height
- 16m maximum building height

Refer to figure 4.2.3 - Building Height Parameter Plan in Himley Village D & A (Penoyre & Prasad)

Building plateaux levels are based on approximate mean level for each Development Zone

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Drawing status

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Project

Land off Howes Lane,  
Bicester

Drawing title

1.7. View 5 with cumulative developments

Drawing scale

Drawn by

Drawn date

AF

10.03.2017

Paper size

Checked by

Checked date

A3

GD

10.03.2017

Drawing number

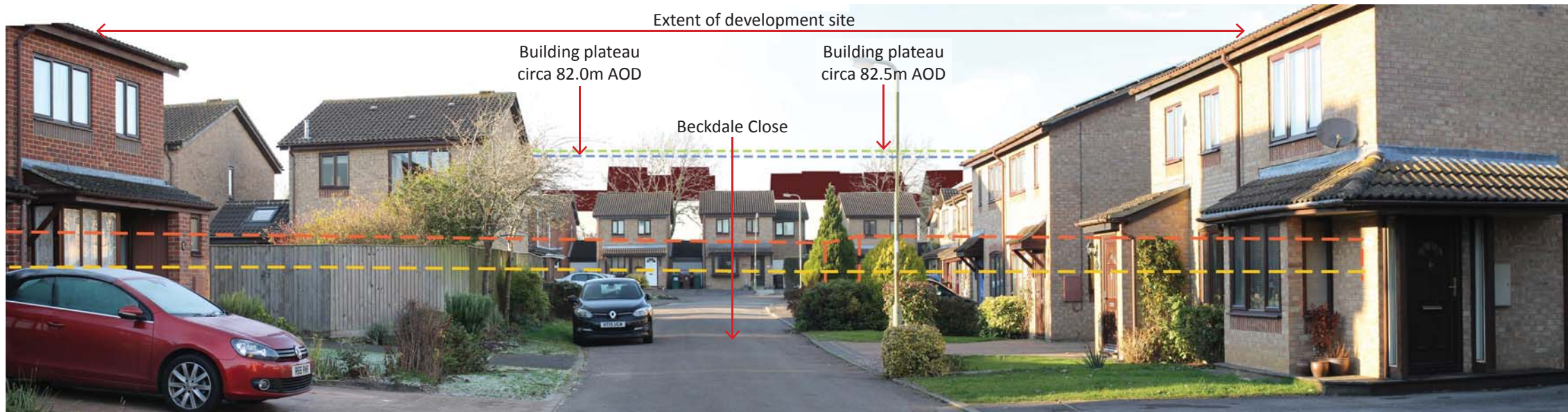
Revision

RF16-375-WP-04

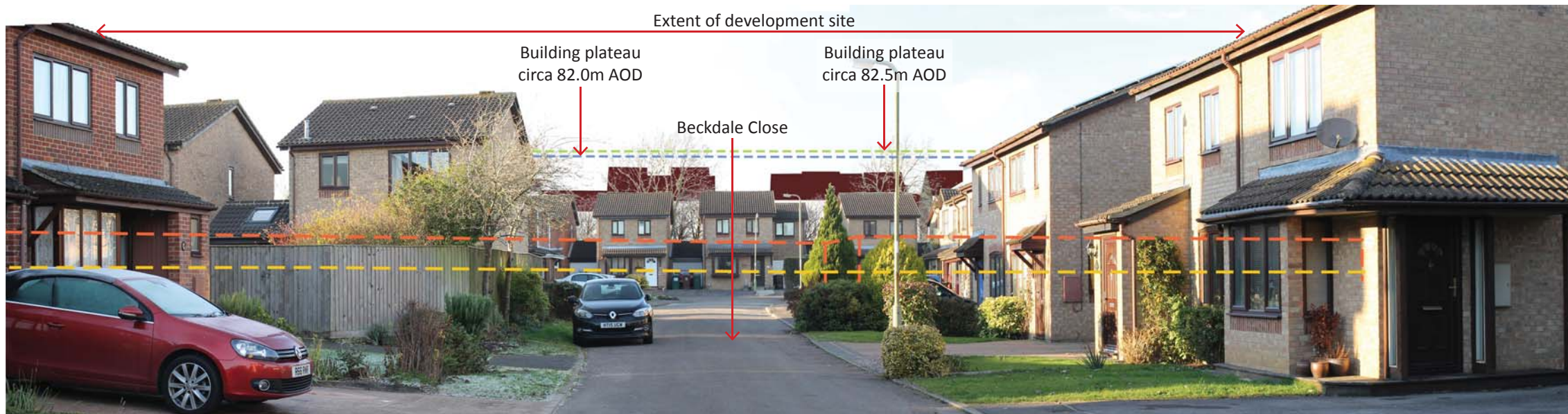
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View 6: Existing view  
West from Beckdale Close



View 6: Proposed view  
West from Beckdale Close



View 6: Proposed view with mitigation (after 10 years)  
West from Beckdale Close

RF16-375-WP-04 LVA Figures with cumulative development

Notes:

Easting: 456773

Northing: 223182

AOD:82m

Approximate distance from centre of site: 240m

Building height zones shown in dashed line:

--- 12m maximum building height

--- 16m maximum building height

Refer to Chetwoods Architects' drawing: Parameter Plan 03 Residential Building Heights 4216\_PPL\_03

Himley Village development building heights:

--- 4m minimum building height

--- 16m maximum building height

Refer to figure 4.2.3 - Building Height Parameter Plan in Himley Village D & A (Penoyre & Prasad)

Building plateaux levels are based on approximate mean level for each Development Zone

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Client

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Project

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Bicester

Drawing title

1.8. View 6 cumulative  
developments

Drawing scale

N/A  
A3

Drawn by

AF  
GD

Drawn date

10.03.2017

Checked date

10.03.2017

Drawing number

RF16-375-WP-04

Revision

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**PINS REF:** APP/C3105/W/22/3304021

**LPA:** Cherwell District Council

**LPA REF:** (21/03177/F)

Land at Middleton Stoney Road & Howes Lane, Bicester.

**Written Statement – Landscape & Visual Issues, 1<sup>st</sup> September 2022**  
**Appendix GD B1: Application No 21/03177/F ES, Volume II, LVA Chapter 6, Section 6 -**  
**Report**

Guy Denton, BA (hons), DipLA (hons), CMLI, AoU

For  
Albion Land

September 2021 (Update September 2022 / 0897-RFM-XX-00-RP-L-0001-S2-P06

# Axis J9, Bicester Landscape & Visual Assessment

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## Revisions

<b>Date</b>	<b>Author</b>	<b>Revision</b>	<b>Description of revision</b>	<b>Approved</b>
27.07.21	PL	P01	Draft issue	GD
16.08.21	PL	P02	Revised to planning consultant comments	GD
31.08.21	PL	P03	Updated to include ecology information	GD
6.09.21	PL	P04	Planning issue	GD
01.09.22	GD	P05	Updates to reflect reduced scheme, amendments to landscape effects descriptions (no change to levels of effect). Amendments to views 08 and 09 (changes to level of effects)	GD
04.09.22	GD	P06	Minor coordination amendments	GD



# Contents

1.	Introduction	Page 4
2.	The Site	Page 6
3.	Relevant planning policies	Page 8
4.	Development proposals	Page 11
5.	Landscape baseline assessment	Page 12
6.	Assessment of landscape effects	Page 20
7.	Assessment of visual effects	Page 37
8.	Conclusions	Page 51
9.	References	Page 57

Appendix A: Figures

Appendix B: Verified Views

Appendix C: Assessment Methodology

# 1 Introduction

- 1.1 This Landscape and Visual Impact Assessment ('LVIA') originally formed volume two of the Environmental Statement (ES). The ES supported a full planning application for flexible employment buildings and associated works, including parking spaces, partial delivery of the strategic link road and green infrastructure.
- 1.2 This LVIA has since been updated as a standalone exercise to support a planning appeal and to reflect amendments that were made to the proposals post-submission of the full planning application described above.
- 1.3 The LVIA has been prepared by re-form landscape architecture and assesses the potential effects on the local landscape character and visual amenity of a further phase of employment development on land west of Howes Lane, North West Bicester (the 'Development'). Potential significant effects associated with enabling, construction activities and the completed Development are identified as appropriate and, where necessary, mitigation measures are outlined.
- 1.4 The volume is supported by the following appendices:
  - i Appendix A: Figures
  - ii Appendix B: AVR Verified Views
  - iii Appendix C: Methodology for the production of photomontages
- 1.5 This LVIA will refer to the relevant national guidance for:
  - i the assessment of landscape character
  - ii making judgements about the visual quality of landscapes and their capacity for accommodating development
  - iii the siting, layout and design of general industrial buildings, and;
  - iv methodology for the assessment of landscape and visual effects which is in accordance with the 'Guidelines for Landscape & Visual Impact Assessment', Third Edition<sup>1</sup>.
- 1.6 Drawing on this guidance, and an appraisal of the key landscape and visual issues associated with the Development, this LVIA will consider:
  - i the character and sensitivity of landscapes within the vicinity of the proposed development; and
  - ii the visual amenity of the receiving landscape
- 1.7 This LVIA will demonstrate that the Site and the local landscape within the vicinity of the Site and the study area vary in sensitivity, but has the capacity to receive development.
- 1.8 This LVIA is structured as follows:

- i Section 2: The Site - Description of the Site and its immediate context in general terms, identifying the location and main characteristics;
- ii Section 3: Relevant planning policy - Identification of the relevant planning policy context at national and local level that is pertinent to landscape character and visual issues;
- iii Section 4: Development proposals – Description of the Development that forms the basis of the LVIA;
- iv Section 5: Landscape baseline assessment - Identification of baseline criteria of the Site which is to be used to inform the assessment of landscape and visual effects is established;
- v Section 6: Assessment of cumulative effects – Identification of consented schemes in the Site context and the means of assessing any cumulative effects they might generate in conjunction with the Development;
- vi Section 7: Assessment of landscape effects - Description of the methodology for establishing the landscape and visual effects; this determines the assessment of the landscape and visual effects of the existing Site and the Development;
- vii Section 8: Assessment of visual effects - An assessment of the landscape and visual effects of the development in relation to the baseline conditions, and with and without landscape mitigation;
- viii Section 9: Conclusions - A summary of the findings and conclusions.

## 2 The Site

Refer to: **Figure 1.1** - Location Plan  
**Figure 1.2** – Landscape Context  
**Figure 1.3** – Landscape Designations  
**Figure 1.4** – Settlement pattern, significant vegetation & open space  
**Figure 1.5** – Landform

- 2.1 The Site is located approximately 1.8km west of Bicester town centre, on the edge of the town. The Site lies within the Cherwell District Council area, and is part of the proposed North West Bicester Eco Town which is allocated for development by Policy Bicester 1<sup>5</sup>. The Site is 6.2ha in area and is not situated within a ‘sensitive area’ (as defined in Part 1 of the EIA Regulations) (i.e. a Site of Special Scientific Interest (SSSI), National Park, Area of Outstanding Natural Beauty, World Heritage Site (WHS), Scheduled Monument or European Site) and is not subject to any statutory or non-statutory designations for nature conservation or heritage. The Site is not in, or within the vicinity, of any statutory or non-statutory designated landscape views.
- 2.2 The Site is currently in agricultural use, and the vegetation on the Site consists of grassland. Boundary hedgerows are present along the northern and eastern peripheries. To the west is a young, planted woodland with dense tree cover. No trees are located within the interior of the Site. No trees on the Site or in the immediate boundaries are subject to a Tree Preservation Order (TPO).
- 2.3 Howes Lane (the A4095) borders the eastern boundary of the Site, extending down to the south east. Howes Lane is bounded by the existing Greenwood residential estate which forms the current urban edge of Bicester.
- 2.4 The Site slopes gently from north west to south east, towards Howes Lane. Levels range between 85.65m AOD in the northern corner of the Site to 82.35m AOD at the low point by Howes Lane.
- 2.5 There are no public rights of way on the Site. A local cycle connection links to the corner of Middleton Stoney Road and Howes Lane. A public bridleway is located approximately 500m to the north of the Site, parallel to the railway line (Chiltern Main Line). The M40 motorway is located approximately 1.5km to the west of the Site. The Site is currently accessible informally off road via the Axis J9 development. There is no direct access from Howes Lane.

- 2.6 An arboricultural survey was undertaken for the Site<sup>2</sup>. The survey was carried out in accordance with BS5837 (2012): Trees in relation to design, demolition and construction – Recommendations. The tree survey identified the extent of hedgerows and tree planting on the Site. Most hedgerows on the Site boundary consist of common hawthorn, with some elder, elm, sycamore, blackthorn and ash planting. The large block of tree planting to the west of the Site consists of field maple, ash, goat willow, wild cherry and elm. A group of sycamore trees are found to the northern boundary of the Site. The majority of hedgerow planting is categorised as C1.2; low quality vegetation with mainly arboricultural value. There are no trees subject to Tree Preservation Orders (TPOs) within the Site itself.
- 2.7 A Phase 1 Habitat Survey of the Site was carried out<sup>3</sup>. The survey finds that the Site supports several habitat types, including arable farmland, hedgerows with standard trees, field margins and ditches. Habitats surrounding the Site include residential development to the east, and arable farmland bounded by hedgerow to the north and west. There is also an area of mixed plantation woodland to the west. The data search accompanying the survey conformed that there are, however, no statutory or local designations in respect of wildlife and nature conservation.

### 3 Relevant planning policy

Refer to: **Figure 1.3** – Landscape Designations

3.1 The relevant planning policies in respect of landscape and visual issues are set out in this section.

#### **National policy – National Planning Policy Framework (NPPF)**

3.2 Relevant Sections within the National Planning Policy Framework<sup>4</sup> in respect of landscape and visual issues are as follows:

- i Section 12 – Achieving well designed places
- ii Section 15 – Conserving and enhancing the natural environment

#### **Section 12 – Achieving well designed places**

3.3 In respect of Section 12, achieving well designed places, the government attaches great importance to the design of the built environment. Good design is seen as a key aspect of sustainable development. This section states at paragraph 123:

*Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.*

3.4 It goes on to state at paragraph 127:

*Planning policies and decisions should ensure that developments... are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; ... are sympathetic to local character and history, including the surrounding built environment and landscape setting.*

#### **Section 15 – Conserving and enhancing the natural environment**

3.5 At Section 15, conserving and enhancing the natural environment, the government seeks to ensure that planning decisions contribute to and enhance the natural and local environment. At paragraph 170 the NPPF states that this is to be achieved by:

*a) protecting and enhancing valued landscapes...*

*d) minimising impacts on and providing net gains for biodiversity*

3.6 The NPPF, and in particular these sections have informed relevant planning policies at the local level, as described below.

### **Local policy**

3.7 The Site is located within the Cherwell District Council area, and therefore any development proposals must be considered in respect of policies within the Cherwell Local Plan 2011-2031 Part 1<sup>5</sup>. Those policies which are relevant to the Site with respect to landscape and visual issues are:

- i Policy Bicester 1: North West Bicester Eco-Town;
- ii Policy ESD 13: Local landscape protection and enhancement; and
- iii Policy ESD 17: Green infrastructure

### **Local Plan Policy Bicester 1: North West Bicester Eco-Town**

3.8 Local Plan Policy Bicester 1 seeks:

- *A well designed approach to the urban edge, which relates development at the periphery to its rural setting and affords good access to the countryside, minimising the impact of development when viewed from the surrounding countryside*
- *Development that respects the landscape setting and that demonstrates enhancement, restoration or creation of wildlife corridors to achieve a net gain in biodiversity*
- *Careful consideration of open space and structural planting around the site to achieve an overall improvement in the landscape and visual impact of the site*
- *Preservation and enhancement of habitats and species on site, particularly protected species and habitats and creation and management of new habitats to achieve an overall net gain in biodiversity including the creation of a local nature reserve and linkages with existing BAP habitats*
- *Careful design of employment units on site to limit adverse visual impact and ensure compatibility with surrounding development*

### **Local Plan Policy ESD 13: Local landscape protection and enhancement**

3.9 Local Plan Policy ESD 13 states:

*Opportunities will be sought to secure the enhancement of the character and appearance of the landscape ... 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.*

## **Local Plan Policy ESD 17: Green infrastructure**

3.10 Local Plan Policy ESD 17 states:

*The District's green infrastructure network will be maintained and enhanced through the following measures: ...*

- *Protecting and enhancing existing sites and features forming part of the green infrastructure network*

3.11 These policies are relevant to the Site and have informed the proposals for the retention and protection of existing woodland and hedgerows, as well as new planting proposals to increase tree cover in line with the character of the existing landscape context.

## **North West Bicester Masterplan Supplementary Planning Document, 2016**

3.12 The North West Bicester Masterplan Supplementary Planning Document (SPD)<sup>6</sup> sets out the key principles for the future development of North West Bicester as an aid for the application and interpretation of Policy Bicester 1. The key principles within the SPD relating to landscape and visual issues are:

- i Development Principle 9: Green infrastructure and landscape
- ii Development Principle 9 (a): Tree planning
- iii Development Principle 9 (b): development edges
- iv Development Principle (c): Hedgerows and stream corridors
- v Development Principle (e): Biodiversity

3.13 Development requirements relating to each of these principles are also relevant.

3.14 These principles and requirements have informed proposals for the Site for the retention of natural features and for proposals for the planting of the Site.



## 4 Development proposals

4.1 The key elements of the proposed Phase 3 of the Axis J9 development includes:

- 14,835 sqm Gross External Area (GEA) flexible employment development (use classes E (g) (iii) and/or B2 and/or B8);
- Parking spaces for cars/light goods vehicles (LGVs) and heavy goods vehicles (HGVs)
- Temporary access into the Site via the Axis J9 development prior to the SLR being delivered;
- Delivery of part of the SLR included within the Site (in line with the OCC design) (including pedestrian and cycle links); and
- 40% provision of Green Infrastructure, which will include features for biodiversity net gain, landscape screening and drainage.

4.2 For further information refer to Cornish Architects drawing TP\_002\_Proposed Site Plan\_20019 Rev R

## 5 Landscape baseline assessment

5.1 This section describes the principal spatial and built form components which give the Site and surrounding area its particular characteristics. The relevance of these components is identified and described below.

5.2 Both a desk study and a visual Site analysis have been undertaken. Key documents include the following:

- i National Character Area Profile: 107. Cotswolds<sup>7</sup>
- ii Oxfordshire Wildlife and Landscape Study (OWLS)<sup>8</sup>

5.3 The following are key issues in respect of landscape and visual effect relating to the Site:

- i Location and character of landscape elements and components which contribute to the landscape character
- ii Identification of key receptors and their sensitivity.
- iii Determination of the existing landscape character and visual quality of the Site.
- iv The ability of the existing landscape to accommodate change.
- v The likely effects of development within the landscape – whether it is negative or positive, including:
  - i 1) Potential landscape effects on the existing landscape character of the Site and its context
  - 2) Potential visual effects on views into, out of and across the Site

5.4 For the purposes of this assessment the following elements are considered relevant in determining the character of the study area: existing urban form, open space and vegetation; topography; and existing land use.

Refer to: **Figure 1.3** – Landscape designations  
**Figure 1.4** – Settlement pattern, significant vegetation & open space  
**Figure 1.5** - Topography  
**Figure 1.6** – Landscape Character Areas

## Topography

- 5.5 The topography is an important part of the character of the area. Visually, it is relevant in defining the character of views around the Site, particularly in its only very slightly undulating character.
- 5.6 The Site very gently slopes downwards towards Howes Lane from west to east, from a high point of 86.50m AOD to a low point of 82.00m AOD along Howes Lane. The surrounding landscape is similarly very gently undulating (see **Fig. 1.5**). To the south of the Site, the natural topography has been disrupted to create development platforms. At a smaller scale the topography of Bicester has been manipulated and responds to the pattern of settlement.
- 5.7 The topography of the Site itself is susceptible to change as a result of the Development, but this would fit with the local condition. Wider patterns of landform to the south and east of the Site have been disrupted since the second half of the twentieth century. The value of the local topography is low due to the frequency and scope for substitution of local patterns. The sensitivity of this receptor is therefore medium low.

## Significant Vegetation

- 5.8 Existing vegetation is identified and assessed at two levels – firstly, the contribution it makes to the area as a whole and secondly, specific vegetation which may be physically affected by the Development. The existing vegetation has been mapped using aerial photography with supporting fieldwork.
- 5.9 The northern boundary of the Site consists of an existing native hedgerows. A block of mature woodland approximately 40m wide forms the western boundary of the Site. The Site itself was formerly agricultural land and the majority of the area remains as grassland. There is some scarring from vehicle manoeuvres and soil storage from earlier phases of the Axis J9 development.
- 5.10 The verge to both sides of Howes Lane is vegetated with a mixture of tree and hedgerow planting. The planting varies in density along the length of the road, with a typical width of 2m and a typical height of 4m (the hedge did not appear to have been cut within the last year at the time of visit). There are occasional gaps in the hedgerows to Howes Lane, including one to the Site boundary.
- 5.11 Beyond the Site, larger groups of trees are found at Bignall Park, lining Middleton Stoney Road. The woodland here is predominantly deciduous tree planting. The surrounding agricultural landscape consists of arable fields bounded with native hedgerows and occasional mature tree planting. Some small copses of trees are also found along field boundaries and to the sides of localised watercourses.
- 5.12 The local vegetation has moderate value in that it is largely undesignated (though some trees within the context are subject to Tree Protection Orders) but is of good quality with a clear pattern and limited detracting features except occasional gaps in hedgerows. Features susceptible to change are those most common and replaceable – the ungrazed grassland that forms the bulk of the Site. As proposals will affect vegetation, it has a medium susceptibility to change, resulting in a medium sensitivity to landscape effects.

## Settlement

- 5.13 The settlement is used in the assessment as a shorthand term for the pattern and inter-relationship of buildings and open space. A study of this pattern can contribute to an understanding of landscape and character to highlight the ratio of built form to open space as a precursor to defining landscape character.
- 5.14 The Site is located to the western edge of Bicester, and it is separated from existing suburban residential areas to the east by Howes Lane, which forms part of the loop road around the town, and a strip of open land formed by a remnant agricultural field. The Site itself does not contain any built form. Beyond Howes Lane, the landscape is defined by isolated farmsteads and arable pasture. Phases 1 and 2 of the Axis J9 development lie to the south of the Site and have been developed for employment use. The villages of Bucknell, Middleton Stoney and Chesterton are the largest settlements outside Bicester, all within approximately 3km of the Site (see **Fig. 1.4**).
- 5.15 The Site lies within an area allocated for mixed use development under the Cherwell District Council Local Plan (Policy Bicester 1). Additional settlement within the area therefore represents a change to the existing baseline but would be consistent with the delivery of the Local Plan.
- 5.16 Patterns of settlement have a low susceptibility to the Development as it could be accommodated without adverse consequences for the existing baseline. While it would extend employment use into an unbuilt area, this would be consistent with the delivery of the mixed use allocation covering the Site and the surrounding area. The current pattern of settlement is of low value, being relatively frequently found in the wider area, and having scope for substitution should it change. This results in a low sensitivity.

## Existing land use

- 5.17 The existing land use shows the land to the west of the Site as predominantly woodland and agricultural. The farmland is interspersed with small settlements and woodland. The land to the east of the Site is predominantly suburban residential, which also contains a mixture of public open space and parks, as well as employment land and schools. As development within the surrounding mixed use allocation comes forward, patterns of land use will change.
- 5.18 While local patterns of land use have some beneficial features as well as features with potential for improvement, the uses found on the Site are frequently found in the Site context and there is scope for substitution for any area lost. While there would be a change at Site level, the Proposed Development would align with the delivery of the mixed use allocation to North West Bicester. This results in a low sensitivity to change.

## Existing landscape character

- 5.19 Landscape assessment encompasses appraisal of physical, aesthetic and intangible attributes including sense of place, rarity or representativeness, and unspoilt appearance. The combination of landscape elements (trees, hedgerows, woodlands, settlement and buildings, their architecture and fabric) and their arrangement give the different areas a unique sense of place, or 'character'. These aspects, together with scale and character of surrounding landscapes, patterns and scale of landform, land cover and built development, need to be taken into account when assessing landscape effect.
- 5.20 Natural England has produced a National Character Area (NCA) Map for England, which identifies broad areas of distinct and individual countryside character. The character map takes account of the physical landform and the effect of human activities on the natural world. The national framework of character areas identifies and describes the diversity of landscape character across England and provides a common starting point for more detailed local assessments.
- 5.21 The development Site is located within the Cotswolds Landscape Character Area no. 107<sup>7</sup> which summarises this area as follows:

*The dominant pattern of the Cotswold landscape is of a steep scarp crowned by a high, open wold; the beginning of a long and rolling dip slope cut by a series of increasingly wooded valleys. The scarp provides a backdrop to the major settlements of Cheltenham, Gloucester, Stroud and Bath and provides expansive views across the Severn and Avon Vales to the west. Smaller towns and villages nestle at the scarp foot, in the valley bottoms and on the gentler valley sides at springlines. Scattered hamlets and isolated farmsteads are found on the higher ground. The limestone creates a strong sense of place and unity which carries through to the buildings and walls which have been built using local limestone for centuries.*

- 5.22 Key characteristics of this landscape include:

- i Open and expansive scarp and high wold dipping gently to the southeast, dissected by river valleys.
- ii Arable farming dominates the high wold and dip slope while permanent pasture prevails on the steep slopes of the scarp and river valleys with pockets of internationally important limestone grassland.
- iii The majority of the principal rivers flow south-eastwards forming the headwaters of the Thames with the exception of rivers in the west
- iv Rich history from Neolithic barrows, iron-age hill forts and Roman roads and villas to deserted medieval villages, grand country houses, cloth mills and Second World War airfields. The field patterns largely reflect both the medieval open field system, with fossilised areas of ridge and furrow, and later planned enclosures, which flow into the River Avon and then the Severn Estuary

- 5.23 The Oxfordshire Wildlife and Landscape Study (OWLS)<sup>8</sup> commissioned jointly by Oxfordshire County Council, Natural England and The Earth Trust investigated the landscape character and biodiversity of Oxfordshire. The Site is located in the Wooded Estatelands landscape type. Key characteristics of this area are summarised as:
- i Medium to large, regularly shaped hedged fields
  - ii Small, geometric plantations and belts of trees.
  - iii Large country houses set in ornamental parklands.
  - iv Small estate villages and dispersed farmsteads.
- 5.24 The Site fits to the description of Wooded Estatelands landscape character, with the regular, large field pattern, a small geometric plantation to the west and dispersed farmsteads to the locality. The Site lies within a mixed use allocation for development. Parts of the allocation have been delivered, and change is therefore underway.
- 5.25 Using these national, regional and local landscape character studies, together with our own landscape context analysis (land use, urban settlement, topography and significant vegetation) together with maps, aerial photographs and fieldwork, we have identified the following key character areas which represent the Site and its landscape context. These areas are shown on Figure 1.6.

#### **Character Area 1: Estate Parkland**

- 5.26 This character area comprises the estate of Bignell Park. The landscape character is defined by large woodland copses of deciduous trees, and with a designed landscape connected to historic estate buildings. Large areas of the landscape are used for recreation, with some agricultural fields and plantations attached. Overall, the landscape quality can be described as 'good', with a moderate landscape value as the area is undesignated but is of medium importance and rarity, in part due to the local ecological value attached to Bignell Park (non-statutory). Due to its separation from the Site by existing development and strong boundary planting, the area is not susceptible to landscape effects as a result of the Development, resulting in a medium low sensitivity.

#### **Character Area 2: Bicester suburban residential**

- 5.27 Suburban residential comprising a mix of circa late 20th century brick build houses, mainly two storeys with gardens. The massing is arranged in curvilinear forms around cul-de-sac estate roads. Rear gardens fences face towards Howes Lane and the Site. The fences are of mainly timber construction. Articulation of built form, differences in treatments to front gardens, replacement windows and conservatories as well as the high degree of frontage and roadside parking detract from the character of the area. The area has a medium susceptibility to change as it has some ability to accommodate the Development without consequences to the baseline – there is scope for the setting of the western edge of Bicester near the Site and views west to change. The value of the landscape is low as it is relatively common with some recognisable structure but also room for improvement.

### **Character Area 3: Chesterton Village**

5.28 The character area consists of a range of brick and stone buildings, with some thatched-roofed dwellings, ranging from 13<sup>th</sup> century to 20<sup>th</sup> century. The character area is defined by the linear arrangement of buildings along Alchester Road, with the landscape behind these buildings consisting of small fields and woodland areas. There are several listed buildings to the character area, including the estate of Chesterton Lodge. The landscape could accommodate the Development without adverse consequences given the strong separation from the Site of the area. The value of the landscape is high, the centre of the village having been recognised through designation as a Conservation Area. This results in a medium level of sensitivity.

### **Character Area 4: Agricultural land**

5.29 West and south of Bicester there is a recognisable pattern of agricultural land use with well vegetated field boundaries, traversed by a network of public footpaths. There are some former agricultural related buildings and detracting features such as the Bicester to Bletchley railway line and the M40 motorway. Fields are used for arable crops and some grazing pasture. Hedgerows comprise of mixed deciduous native species. The character area is traversed by a network of drainage ditches and natural brooks. The value of this landscape is moderate – it is not designated but is generally of good quality and is of value for its amenity value to those using the footpaths. The area has some ability to accommodate the Development without adverse consequences for the retention of the existing landscape baseline. This is due to the scale of the Development relative to the area, and the enclosure and separation of the Site from the wider area by earlier phases of the Axis J9 development and the woodland to the western edge of the Site. The Site itself, and areas to the north would experience landscape effects as a result of the Development, resulting in an overall medium susceptibility to change. Combined with the moderate value of the area, it therefore has medium sensitivity to landscape effects.

### **Character Area 5: Employment Site**

5.30 Built form within the Site is of a large scale, organised along access routes. Large scale drainage features including swales, and the use of bunds to the southern and eastern boundaries create distinctive landform, and are planted with groups of native trees. The boundaries are well vegetated with native woodland and hedgerow planting. Within the Site, to accessible and visible areas planting is smaller scale and more ornamental. Between buildings, further tree planting breaks up built form and strengthens patterns of Green Infrastructure. Views to the east and south are to mature tree planting to the west of Bicester or the north of Bignell Park, while views to the north and west are open over agricultural land.

5.31 The landscape can accommodate the Development with very limited consequences to the baseline (though some loss of openness to the north), and the Development represents a continuation of this character. The value of the area is low – it is not degraded or in need of recovery, but is common and has much scope for substitution. The sensitivity of the area is therefore low.

## Character Area 6: Emerging suburban residential

- 5.32 To the south of Bicester lies an emerging area of suburban residential development. This has a different character from the earlier built form immediately east of the Site. A greater variety of materials has been used, with stone, brick and rendered buildings with slate and tiled roofs. Built form is arranged in connected blocks, rather than around connected cul-de-sacs, and pre-existing landscape features such as copses and hedgerows have been retained, and complemented by pocket public spaces and play areas, as well as large scale sports facilities to the south of the area.
- 5.33 The area is separated from the Site and not susceptible to change as a result of the Proposed Development. The value of the area is moderate as it has limited scope for substitution, and is of good to high quality. The sensitivity of the Site is therefore medium low.

**Table 5.1:** Summary of Landscape Receptors

Refer to: **Figure 1.4** – Settlement pattern, significant vegetation & open space  
**Figure 1.5** - Topography  
**Figure 1.6** – Landscape Character Areas

Landscape receptor	Susceptibility	Value	Sensitivity
Topography	Medium	Low	Medium-low
Significant vegetation	Medium	Moderate	Medium
Settlement	Low	Low	Low
Land use	Low	Low	Low
LCA 1. Estate parkland	Low	Moderate	Medium low
LCA 2. Bicester suburban residential	Medium	Low	Medium low
LCA 3. Chesterton village	Low	High	Medium
LCA 4. Agricultural land	Medium	Moderate	Medium
LCA 5. Employment Site	Low	Low	Low
LCA 6. Emerging suburban residential	Low	Moderate	Medium low



- 5.34 **Table 5.1** shows that landscape character areas well separated from the Site have a low susceptibility to change as a result of the Development, while those closer have a greater potential to experience change. Topography and significant vegetation are also susceptible to change, but settlement and land use are more able to accommodate the Development as it is in line with the delivery of local strategies that cover these receptors. Chesterton village is the only receptor with high landscape value as it includes a Conservation Area; other receptors are of moderate or low value reflecting their greater frequency and scope for substitution.
- 5.35 The combined range of susceptibilities and values across the landscape receptor results in a range of sensitivities from low to medium.

## 6 Assessment of landscape effects

- 6.1 This section of the LVIA assesses the effects on the existing landscape character – both short and long term, which will depend on the scale of the Development, and the value and significance of the wider landscape.
- 6.2 The Landscape Character Areas (**Figure 1.6**) that are potentially affected by the Development have been identified within the baseline assessment, together with the Susceptibility, Value and the resulting Sensitivity of these landscapes.
- 6.3 The ZTV for the proposals, derived from the baseline study (**Figure 1.7**) in combination with studies on vegetation and settlement determines the extent to which the new development will affect the existing landscape character of the surrounding area.
- 6.4 The effects of construction and the effects of lighting are considered in respect of predicted effects on landscape character.
- 6.5 The magnitude of change to each landscape character area will be determined by what changes are made to the various elements already described which combine to make up a landscape's character. Magnitude of change is assessed in conjunction with landscape sensitivity to produce the predicted landscape effects of the Development. These are detailed in **Tables 6.1 to 6.10**.

### Mitigation

- 6.6 The reduction or elimination of negative effects on the landscape and visual environment is a key part of the development proposals. The proposed mitigation measures and their effect in terms of reducing potential effects are detailed in **Tables 6.1 to 6.10**.
- 6.7 The mitigation strategy will follow the following principles:
- i Avoidance:  
The location of the Development proposals has been carefully considered from the inception of the project to avoid adverse effects. All proposed buildings will have a height of 16m or less. Proposed built form is located away from the hedgerow boundaries to the edges of the Site. The majority of field boundary hedgerows to the perimeter of the Site will be retained.
  - ii Reduction:

The reduction of potential effects on the landscape has been very carefully considered. A substantial new number of trees and hedgerows are proposed to augment existing hedgerows and areas of vegetation, and also to create new blocks of woodland and new hedgerows consistent with the character of the surrounding landscape. Areas of this planting will be installed over mounds to the Site edges, raising the planting and increasing its effectiveness at screening the Development. Collectively this new planting will serve to screen, filter and soften views of the Development. In addition to landscape mitigation, the omission of proposed built form from the proposed scheme located adjacent to Howes Lane has also significantly reduced the level of potential effects.

6.8 The strategies of reduction and avoidance are an important part of the Development proposals. The development principles outlined in the North West Bicester SPD emphasise the importance of green infrastructure networks, the retention and reinstatement of hedgerow patterns, and the consideration of visual and landscape effects to the existing context.

6.9 The inherent mitigation measures and their effect in terms of reducing potential landscape effects are considered as part of the assessment of the Development in Tables 6.1 to 6.10. Additional detail of the scale of proposed habitats and biodiversity is described in Chapter 10: Biodiversity.

- i 10m wide hedgerow buffers are proposed to the eastern/north eastern boundary where existing hedgerows are to be retained. At the north eastern corner of the site the existing, native hedgerow is to be augmented with new hedgerow planting where the gap exists.

**Purpose:** to protect existing hedgerows in line with objectives set out in the North West Bicester Masterplan SPD<sup>5</sup>. Additional hedgerow planting to Howes Lane filters and softens views of the proposed built form and augments existing green infrastructure. The 10m buffer retains existing important landscape features and protects existing biodiverse habitats, while reinforcing the existing character of the local landscape.

- ii Within the areas of built form, trees will soften and break up the outline of the built form. Tree and stands of native shrub and amenity shrub planting will also form a vegetated edge to the eastern edge of the Site. The reinstatement of hedgerow and tree planting along at the north eastern corner of the site where the gap exists will strengthen the existing green infrastructure network to the Site and its immediate context.

**Purpose:** To provide visual amenity and variety of vegetation within the residential area, and to connect to existing green infrastructure.

## **Effects of construction**

6.10 There will be a period of construction activity during implementation of the Development. The Site shall be subjected to following activities during construction. These will have the potential to generate effects on landscape character and visual amenity:

- i Material stockpiling.
- ii Lighting of the works.
- iii Movement and activity of construction equipment and plant.
- iv Increase of heavy traffic to Site.
- v Other Site related activities.

6.11 It is not envisaged that tower cranes will be required during the construction period.

## **Mitigation of construction effects**

6.12 The potential effects during construction already identified will be short term when compared to the effect of the completed Development discussed below, however, they need to be addressed in order to minimise any adverse effects on surrounding receptors. In addition to the mitigation of the long term effects of the Development, a number of measures will be undertaken to minimise construction phase effects. These will include:

- i screening of Site with temporary hoarding;
- ii managed working hours;
- iii controlled access points;
- iv considered location of stockpiles and equipment; and
- v considered location of temporary buildings/cabins

The CEMP will be in place for the duration of the construction works.

## **Predicted effects during construction**

- 6.13 Beyond activities on Site and a short term increase of heavy traffic to the Site, there are not likely to be any effects during the construction phase which affect areas or receptors not already affected by the Development itself. For this reason, no other specific mitigation measures will be required beyond the measures listed above and in the CEMP. In conclusion, the predicted overall effect of the construction phase of the Development is likely to be major adverse in terms of both landscape character and visual amenity. However, these effects will only exist for the construction period.

## **Effects of lighting**

- 6.14 A Lighting Assessment is submitted with the planning application. The introduction of development will increase lighting level throughout the Site and potentially within the context of the Site. There is currently no highway lighting to Howes Lane; light spill from internal and external lighting to residences to Howes Lane are the only source of light in the immediate Site context.
- 6.15 Generally lighting effects will be greatest on residential receptors on the edge of Bicester. Proposed lighting to the b proposed units will potentially be visible over the top of the existing hedgerow, and will be operational throughout the night. Proposed planting to the eastern side of the units will have some effect on mitigating this as it matures. Woodland to the western edge of the Site will prevent lighting effects reaching west of the Site.

## Mitigating lighting effects

- 6.16 The amount of light and ‘throw’ or ‘spill’ can be mitigated and reduced through the use of appropriate shrouds, angled fittings, and low energy light fittings. Lighting is proposed only where it is necessary, limiting the area to be lit. Planting to the edge of the Site will also help to mitigate against the effects of lighting.

## Predicted effects of lighting

- 6.17 Taken within the context of these mitigation measures and the existing rural and suburban setting, it can be concluded that there will be a small encroachment of night-time lighting effects on landscape character areas 2, 4 and 5: the suburban western edge of Bicester near the Site, the earlier phases of employment development to the south of the Site, and the agricultural land within the Site and to the north. Effects on landscape character and visual amenity due to lighting are therefore to be assessed as being minor-moderate adverse.

## Assessment of cumulative effects

- 6.18 The purpose of cumulative landscape and visual effects is to identify additional changes caused by the Site in addition to other similar developments, or as the combined effect of a set of developments taken together.
- 6.19 The assessment of cumulative effects in this LVIA focuses specifically on the *additive* landscape and visual effects of the Development with identified committed development, as opposed to the *combined* effects of all the past, present and future proposals together with the Development.
- 6.20 Quod have identified a number of planning applications in the area. Where these have the potential to cause additional effects to landscape and/or visual receptors assessed in this paper, they have been included in the relevant tables and summaries.
- 6.21 Timescales for these developments to come forward vary, and some of the applications identified have been included in the baseline, as they have been largely built. Others are subject to further planning approvals from Cherwell District Council, as well as future enabling works such as access roads and other necessary infrastructure. For the purposes of this assessment, they are considered for their future potential development in conjunction with the Proposed Development on the Site, and its resultant predicted landscape and visual effects.
- 6.22 The following Sites have been identified as having the potential to result in landscape and visual effects in addition to those caused by the Development (Chapter 3: EIA Methodology and Appendix 3.4):

1. Bicester Eco-Town Exemplar Site, Banbury Road, Bicester (10/01780/HYBRID)
2. Himley Village (14/02121/OUT)
3. Bicester Eco-Town Exemplar Site, Banbury Road, Bicester (14/01384/OUT)
4. Land adjacent to Bicester Road and South West of Avonbury Business Park, Howes Lane, Bicester (14/01641/OUT)

10. A4095 Strategic Link Road (SLR), Twenty HA of Land Proposal of New Highway Aligned with Howes Lane, Bicester (14/01967/F)

- 6.23 With respect to visual effects in particular, the level of cumulative effects is assessed with regards to what is visible within the observer's arc of vision at the same time, without moving their head, as described within the GLVIA3<sup>1</sup>. It is considered likely that all these developments will be visible in some of the assessed views, and where this is the case a statement on cumulative effects is included in the relevant visual assessment tables.
- 6.24 Similarly, the developments listed have the potential to cause additional landscape effects to a number of the receptors assessed, and this is reflected in the relevant tables.

### **Landscape effects**

- 6.25 The predicted Landscape Effect brought about by the Development on each landscape receptor are set out within the following tables:

**Table 6.1:** Assessment of Landscape Effects – Landscape Receptor 1 - Topography

<b>Receptor 1: Topography</b>	
<b>Proximity to Site</b>	Close, includes Site
<b>Landscape receptor</b>	Gently undulating topography and steady slope to south east across the Site with some disruptions to create development platforms to the south and east.
<b>Sensitivity</b>	Medium low
<b>Magnitude of Change</b>	Low  The proposed intervention would result in a minor alteration to the baseline which would be localised and at the level of the immediate landscape setting of the Site. The creation of development platforms, bunds and swales would alter the baseline topography, but this would be consistent with the earlier phases, and not uncharacteristic of the existing landscape. Ditches, cuttings and embankments are all found within the wider landscape.
<b>Predicted landscape Effects</b>	Minor moderate
<b>Nature of Landscape Effects</b>	Adverse
<b>Description of mitigation</b>	Swales have been shaped and planted to respond to features of the Site and to appear attractive and coherent with earlier phases of the Development. Bunds have similarly been planted naturalistically to help them integrate into the wider context of the landscape.
<b>Magnitude of change with mitigation in place</b>	Low
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Minor moderate
<b>Nature of Landscape Effects with mitigation measure in place</b>	Adverse
<b>Sites with the potential to result in cumulative effects</b>	All
<b>Additional magnitude of change</b>	Medium. The creation of development platforms, drainage features and bunds is assumed across all cumulative sites, causing widespread changes to the topography of the local landscape.
<b>Predicted additional landscape effects</b>	Moderate adverse



**Table 6.2:** Assessment of Landscape Effects – Landscape Receptor 2

<b>Landscape Receptor 2: Significant vegetation</b>	
<b>Proximity to Site</b>	Close, includes Site.
<b>Landscape receptor</b>	Coherent local patterns of native hedgerows with occasional trees to field boundaries. Blocks and small copses of woodland.
<b>Sensitivity</b>	Medium
<b>Magnitude of Change</b>	Negligible Changes to significant vegetation within the Site will be very minor and not uncharacteristic of the receiving landscape. Interventions in boundary vegetation will reduce a 31m section of mature hedgerow, while hedgerows elsewhere on the Site boundary will be reinforced.
<b>Predicted landscape Effects</b>	Negligible
<b>Nature of Landscape Effects</b>	Negligible
<b>Description of mitigation</b>	Augmentation and reinforcement of hedgerows through additional planting. Creation of copses and groups of trees around swales and linear features including roads and bunds.
<b>Magnitude of change with mitigation in place</b>	Low. The intervention would cause localised change at the level of the immediate landscape setting of the Site through minor alterations to key features of the baseline. Proposals would augment and strengthen the boundary of the Site, which introducing more varied types of vegetation through the Site, in keeping with copses and linear features found elsewhere in the landscape. Landscape proposals align with the Development Principles and Requirements in the North West Bicester Masterplan SPD <sup>6</sup> .
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Minor moderate
<b>Nature of Landscape Effects with mitigation measures in place</b>	Beneficial
<b>Sites with the potential to result in cumulative effects</b>	All
<b>Additional magnitude of change</b>	Medium. Development to these sites in line with the North West Bicester Masterplan SPD will strengthen Green Infrastructure, increase biodiversity and reinforce hedgerow and stream corridors.
<b>Predicted additional landscape effects</b>	Minor moderate beneficial

**Table 6.3:** Assessment of Landscape Effects – Landscape Receptor 3

<b>Landscape Receptor 3: Settlement</b>	
<b>Proximity to Site</b>	Close
<b>Landscape receptor</b>	Pattern of consistent residential development east of the site up to Howes Lane and isolated farms beyond it. Employment use development to the south of the Site. Wider mixed use allocation to NW Bicester.
<b>Sensitivity</b>	Low
<b>Magnitude of Change</b>	Low  The Development will create a small extension of the existing pattern of built form for employment uses established to the south of the Site, and in line with the mixed use allocation to NW Bicester. The change will be localised and at the level of the immediate setting of the Site.
<b>Predicted landscape Effects</b>	Minor
<b>Nature of Landscape Effects</b>	Adverse, but although the change will alter the baseline, this will be in line with mixed use allocation of the wider area
<b>Description of mitigation</b>	Built form has been located consistently with the employment development to the south, and with the Development Principles and requirements in the North West Bicester Masterplan SPD <sup>6</sup> .
<b>Magnitude of change with mitigation in place</b>	Low
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Minor
<b>Nature of Landscape Effects with mitigation measure in place</b>	Adverse, but although the change will alter the baseline, this will be in line with mixed use allocation of the wider area
<b>Sites with the potential to result in cumulative effects</b>	All
<b>Additional magnitude of change</b>	High. Additional built form will appear across all sites, increasing the amount of settlement in the study area. Although this will be a change from the baseline, this will be in line with the delivery of policies in the Cherwell Local Plan and will occur across several landscape character areas.
<b>Predicted additional landscape effects</b>	Moderate adverse, but although the change will alter the baseline, this will be in line with mixed use allocation of the wider area

**Table 6.4:** Assessment of Landscape Effects – Landscape Receptor 4

<b>Landscape Receptor 4: Land use</b>	
<b>Proximity to Site</b>	Close
<b>Landscape receptor</b>	Pattern of suburban residential uses east of Howes Lane, employment use to south of Site, agricultural and vacant uses elsewhere. Mixed use allocation to NW Bicester.
<b>Sensitivity</b>	Low
<b>Magnitude of Change</b>	Low  There will be a minor alteration to patterns of land use through the extension of employment uses into the Site, and the loss of an area of vacant/agricultural land. The intervention will be localised and at the level of the Site itself, but will be discernible.
<b>Predicted landscape Effects</b>	Minor
<b>Nature of Landscape Effects</b>	Adverse, but in line with mixed use allocation of the wider area
<b>Description of mitigation</b>	None relevant
<b>Magnitude of change with mitigation in place</b>	Low
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Minor
<b>Nature of Landscape Effects with mitigation measure in place</b>	Adverse, but in line with mixed use allocation of the wider area
<b>Sites with the potential to result in cumulative effects</b>	All
<b>Additional magnitude of change</b>	Medium. Changes in land use will appear across all sites, although some areas of woodland, field boundaries and existing farms will be retained. Although this will be a change from the baseline, this will be in line with the delivery of policies in the Cherwell Local Plan.
<b>Predicted additional landscape effects</b>	Minor moderate adverse

**Table 6.5:** Assessment of Landscape Effects – Character Area 1

<b>Character Area 1: Estate parkland</b>	
<b>Proximity to Site</b>	Close
<b>Landscape receptor</b>	Designed parkland landscape; open landscape interspersed with groups of trees
<b>Sensitivity</b>	Medium low
<b>Magnitude of Change</b>	Negligible The area is separated from the Site by existing phases of the Axis J9 development. Development on the Site would not introduce any discernible difference in the aesthetic and perceptual quality of the Site in comparison to the baseline condition.
<b>Predicted landscape Effects</b>	Negligible
<b>Nature of Landscape Effects</b>	Negligible
<b>Description of mitigation</b>	None relevant
<b>Magnitude of change with mitigation in place</b>	Negligible
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Negligible
<b>Nature of Landscape Effects with mitigation measure in place</b>	Negligible
<b>Sites with the potential to result in cumulative effects</b>	Proposed Development will have a negligible effect on this character area and will not therefore cause landscape effects in conjunction with those resulting from development on any other site.

**Table 6.6:** Assessment of Landscape Effects – Character Area 2

<b>Character Area 2: Bicester suburban residential</b>	
<b>Proximity to Site</b>	Close
<b>Landscape receptor</b>	Suburban residential area
<b>Sensitivity</b>	Medium low
<b>Magnitude of Change</b>	Low Minor loss or alteration to the baseline character as a result of the encroachment of built form into the existing open countryside to the area’s edge and resulting loss of openness.
<b>Predicted landscape Effects</b>	Minor moderate
<b>Nature of Landscape Effects</b>	Adverse
<b>Description of mitigation</b>	Gap in existing highway verge hedgerow planting to north east corner of the site to be infilled with new hedgerow and intermittent native tree planting. Area of open space retained between Howes Lane and proposed edge of development Intermittent tree planting with stands of native shrub, and amenity shrub planting will soften the outline of built form.
<b>Magnitude of change with mitigation in place</b>	Low
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Minor moderate
<b>Nature of Landscape Effects with mitigation measure in place</b>	Adverse
<b>Sites with the potential to result in cumulative effects</b>	3, 4, 10
<b>Additional magnitude of change</b>	These sites will further enclose the western edge of Bicester, which is currently open to the surrounding countryside, further reducing openness. This will increase the magnitude of change and the area over which it is experienced to a medium level.
<b>Predicted additional landscape effects</b>	Moderate adverse

**Table 6.7:** Assessment of Landscape Effects – Character Area 3

<b>Character Area 3: Chesterton Village</b>	
<b>Proximity to Site</b>	Long
<b>Landscape receptor</b>	Conservation Area and setting; network of small fields and tree copses,
<b>Sensitivity</b>	Medium
<b>Magnitude of Change</b>	Negligible There will be a very minor loss to the baseline character through the encroachment of built form towards the setting of the village and loss of field pattern, but this will be at site level only and would not introduce any discernible difference in the aesthetic or perceptual quality of the area.
<b>Predicted landscape Effects</b>	Negligible
<b>Nature of Landscape Effects</b>	Adverse
<b>Description of mitigation</b>	Site will be buffered by native vegetation which will integrate the built form into the surrounding landscape context and contribute to the green infrastructure of the surrounding area.
<b>Magnitude of change with mitigation in place</b>	Negligible
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Negligible
<b>Nature of Landscape Effects with mitigation measure in place</b>	Negligible
<b>Sites with the potential to result in cumulative effects</b>	The Development will have a negligible effect on this character area and will not therefore cause landscape effects in conjunction with those resulting from development on any other site.

**Table 6.8:** Assessment of Landscape Effects – Character Area 4

<b>Character Area 4: Agricultural landscape</b>	
<b>Proximity to Site</b>	Close/on Site
<b>Landscape receptor</b>	Existing patterns of fields and hedgerows
<b>Sensitivity</b>	Medium
<b>Magnitude of Change</b>	<p>There will be a partial transformation of the Site itself due to the transformational nature of the Development, which will, in the main be contained within the western part of the site, with only the new access connection traversing the eastern portion. Where development is proposed, then this will comprise the construction of new buildings, roads and ancillary structures in addition to the drainage and soft landscape schemes.</p> <p>Surrounding areas will be subject to a lower level of change according to the distance from the Site. This change will entail some loss of openness and the encroachment of built form. The enclosure of the Site between existing woodland and the edge of the character area helps to create separation between it and the rest of the area, reducing the potential magnitude of change.</p>
<b>Predicted landscape Effects</b>	Moderate major within the Site itself. Moderate elsewhere in the character area.
<b>Nature of Landscape Effects</b>	Adverse
<b>Description of mitigation</b>	<p>Site to be buffered by native vegetation which will soften and break up the outline of buildings and contribute to the green infrastructure of the surrounding area.</p> <p>Existing hedgerows and woodland will be retained to the boundaries to be augmented with intermittent native tree and hedgerow planting. Parkland landscape groups of swales, groups of trees and open grassland will soften the edge of built form.</p>
<b>Magnitude of change with mitigation in place</b>	High within the Site itself, low elsewhere
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Moderate major within the Site itself. Minor Moderate elsewhere.
<b>Nature of Landscape Effects with mitigation measure in place</b>	Adverse
<b>Sites with the potential to result in cumulative effects</b>	2, 3, 4, 10
<b>Additional magnitude of change</b>	These sites will further enclose the western edge of Bicester, which is currently open to the surrounding countryside, further reducing openness.

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This will increase the magnitude of change and the area over which it is experienced to a medium level.

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**Predicted additional landscape effects**

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Moderate adverse

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**Table 6.9:** Assessment of Landscape Effects – Character Area 5

<b>Character Area 5: Employment development</b>	
<b>Proximity to Site</b>	Close
<b>Landscape receptor</b>	Pattern of large new build rectilinear buildings arranged along access roads. Surrounding landscape of drainage features, bunds with native hedgerow, woodland and tree planting, with smaller scale ornamental planting to internal areas. Large areas of car parking between buildings.
<b>Sensitivity</b>	Low
<b>Magnitude of Change</b>	Low The Development will cause a minor loss of openness in views to the north through the creation of additional built form and further planting to the Site edges.
<b>Predicted landscape Effects</b>	Minor
<b>Nature of Landscape Effects</b>	Adverse
<b>Description of mitigation</b>	Planting within the Site will screen and soften the appearance of new built form, but the reduction in openness to the north will remain.
<b>Magnitude of change with mitigation in place</b>	Low
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Minor
<b>Nature of Landscape Effects with mitigation measure in place</b>	Adverse
<b>Sites with the potential to result in cumulative effects</b>	2, 4, 10
<b>Additional magnitude of change</b>	These sites will enclose the existing development, reducing openness to the west and north though the extension of built form into existing open land. This will increase the magnitude of change to a medium level.
<b>Predicted additional landscape effects</b>	Minor moderate adverse

**Table 6.10:** Assessment of Landscape Effects – Character Area 6

<b>Character Area 6: Emerging suburban residential</b>	
<b>Proximity to Site</b>	Medium
<b>Landscape receptor</b>	Blocks of mixed material built form incorporating existing landscape features and areas of public open space. Green setting to the south.
<b>Sensitivity</b>	Medium low
<b>Magnitude of Change</b>	Negligible The Development would not result in any discernible difference in aesthetic and perceptual quality within this character area.
<b>Predicted landscape Effects</b>	Negligible
<b>Nature of Landscape Effects</b>	Negligible
<b>Description of mitigation</b>	None relevant
<b>Magnitude of change with mitigation in place</b>	Negligible
<b>Predicted landscape effects with mitigation measures in place (residual effect)</b>	Negligible
<b>Nature of Landscape Effects with mitigation measure in place</b>	Negligible
<b>Sites with the potential to result in cumulative effects</b>	The Development will have a negligible effect on this character area and will not therefore cause landscape effects in conjunction with those resulting from development on any other site.

## Summary of landscape effects

- 6.26 The Development will introduce landscape effects to seven landscape receptors; these have been identified and evaluated within the baseline study
- 6.27 The predicted Landscape Effects range from moderate adverse to minor beneficial effects on settlement and land use where the Proposed Development will alter the baseline in line with planning policy and the mixed use allocation to North West Bicester. With mitigation, the predicted Landscape Effects will be reduced to minor moderate adverse to minor beneficial. This level of effect is consistent with the allocation of the Site and surrounding area for mixed use development.
- 6.28 The predicted Landscape Effects upon the Site itself are moderate major adverse due to the transformational nature of the Development. Again, this level of effect is consistent with the allocation of the Site and surrounding area for mixed use development.
- 6.29 The most substantial Landscape Effects will be experienced by Landscape Character Area 4: Agricultural Land. This is predicted to experience moderate effects which will be adverse in nature. This is due to a medium magnitude of change acting on a landscape of moderate sensitivity.
- 6.30 The predicted Landscape Effects experienced by other landscape receptors include some beneficial effects. This is due to change which will act towards the delivery of planning policies (for settlement and land use). The sensitivity of these landscape is low, resulting in minor beneficial effects. Significant vegetation will also benefit from the Development through the implementation of Development Principles and Guidelines identified for development brought forward in the North West Bicester Masterplan SPD<sup>6</sup>.
- 6.31 Landscape mitigation measures are proposed to reduce long term Landscape Effects, short term effects relating to the construction activity, and any potential lighting effects. Mitigation measures will include the positioning of built form within the Site, the reinforcement and augmentation of boundaries through native hedgerow, tree and woodland planting, and the creation of bunds around the Site, which will elevate some of this planting making it more effective at screening new built form.
- 6.32 The effects on the landscape during construction will be limited, temporary and short term (2 years) and will be no greater than the long term effects of the Development.
- 6.33 There is the potential for long term effects during the night time periods due to additional light throw; these impacts are lessened when the amount of lighting in the current residential context and the mature block of woodland to the east of the Site is taken into consideration. Again, any form of development on Site is likely to require lighting both within buildings and externally. Lighting proposals limit the amount of lighting to the edges of the Site, reducing landscape and visual effects within the receiving landscape.
- 6.34 Cumulative landscape effects resulting from the Development have also been considered. Additional effects from consented schemes in the context of the Site have the potential to increase the magnitude of change to landscape receptors, and therefore the level of effect.

- 6.35 Where the level of effect to landscape receptors is currently negligible, additional effects from other approved sites will not cause additional effects. On all other receptors, cumulative sites will increase the level of effect. The highest level of effect occurs to LCA 4 – Agricultural land. Cumulative sites cover this character area, and development coming forward will result in a substantial alteration to key features of the baseline landscape character. Lower levels of effect will be experienced on the topography, settlement, land use and LCA 2 – Bicester suburban residential as a result of a low magnitude of change acting on a receptor of medium sensitivity.
- 6.36 The cumulative sites are likely to have a moderate beneficial effect, however, on significant vegetation. Proposals retain existing features such as hedgerows and areas of woodland, and through the development principles and requirements set out in the North West Bicester Masterplan SPD will result in the strengthening of these networks.

## 7 Assessment of visual effects

Refer to: **Figure 2.0** - Viewpoint Locations  
**Figures 2.1-2.9** - Illustrative views 1 to 9  
**Appendix B:** NW Bicester AVR Verified Views produced by rbmp dated 30<sup>th</sup> August 2022

7.1 A comprehensive visual assessment has been undertaken to determine the degree of visual effect the Development would have upon the surrounding landscape. Viewpoints were initially identified through the baseline assessment, and in the field each viewpoint was visited and recorded. Not all views identified in the field have been assessed in this LVA. This is due to the following factors:

- i The Site is not visible within the view due to intervening vegetation and landform;
- ii The viewpoint is inaccessible due to land ownership; and
- iii The demonstrable effect from the viewpoint is represented by other viewpoints identified within the vicinity.

7.2 In respect of point *i* above, the Site and the proposed Development may not be visible in all assessed viewpoints. However, the modelling exercise is undertaken in these instances to determine visual effects from this representative location. A total of 9 representative views within the established ZTV (**Figure 1.7**) have been selected for the analysis of visual effects.

7.3 In order to establish the ZTV, i.e. the area within which the development is theoretically visible, the Site is assessed in relation to survey maps. This provisional visual assessment is then refined in the field, at which stage visual receptors are also identified. These include highways, pylons, and public footpaths, as well as residential properties, work places and public open spaces.

7.4 The ZTV covers an area of up to 3km away from the Site (see Figure 1.7). It extends furthest to the northwest where rising ground would theoretically enable views over the Site. It is constrained in places by valleys and ridgelines. The visual envelope is narrowed by the presence of built form, intervening vegetation and hedgerows.

7.5 Viewpoint locations were tested within the ZTV, and a total of 9 representative viewpoints chosen.

7.6 For all views a block model illustrating the typical form, massing and height of the Development within the landscape setting has been produced. This has been developed based on the architect's proposals and positioned in the existing view in accordance with the methodology appended to this paper. Where the Development block model is not visible in the view, a wireframe outline of the Development is shown for location purposes.

7.7 For all views, these are shown with and without the effects of landscape mitigation. Mitigation is shown at 15 years from the Development being built.

7.8 Key views have been selected at strategic locations around the Site. It is considered 'best practice' to categorise views into 3 ranges depending on the proximity of the viewpoint. The categorisation is based on the scale and nature of the landscape, and is as follows:

Close: less than 250m

Medium: between 250m – 1km

Long: More than 1km

7.9 In addition to the key representative views assessed, at the request of Cherwell District Council, we have provided a narrative assessment of views from individual residences at Aldershot Farm, Himley Farm, Linkslade, Upper Farm, Crowmarsh Farm and Lovelynych House. This narrative follows Tables 7.1 – 7.9.

### **Sensitivity of visual receptors**

7.10 The views shown on **Figures 2.1-2.9** have been selected in order to be representative of a range of locations and distances from which the Site is visible, and for the type of occupancies (e.g. residential properties), activities (e.g. footpath users) and the expectations of potential receptors (e.g. visitors to the locality). The sensitivity of the receptor has been recorded against each view considered based upon judgements of their susceptibility to the type of intervention proposed and the value attached to the view.

### **Mitigation**

7.11 A detailed description of proposed landscape mitigation measures is provided at section 6 of this document.

### **Visual effects**

7.12 The predicted effects for each of the representative views are assessed in **Tables 7.1 to 7.9**:

**Table 7.1:** Assessment of Visual Effects – Illustrative view 1, AVR View VP01

<b>View 1 – View east along Middleton Stoney Road adjacent to entrance of Himley Farm</b>	
<b>Figure Reference</b>	2.1
<b>Distance</b>	Medium
<b>Direction</b>	East
<b>Season and Condition</b>	Summer
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Highway users
<b>Reason for view selection</b>	View from farm entrance and from local road network
<b>Description of existing view</b>	View from roadside towards the Site. Middleton Stoney road and its flanking verges, hedgerow and tree planting are visible in the foreground, stretching into the centre of the view. Glimpses of the ridgelines of the Axis J9 development are visible to the left of the view above the hedgerow, obscuring views to the edge of Bicester and the Site itself.
<b>Visual Susceptibility</b>	Low
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	Medium low
<b>Proposed view</b>	There will be a very minor alteration or loss to the view  Ridgelines of the Development may be glimpsed from this point when leaf cover to the hedgerow is not present, and if it has been recently cut, but it would be unlikely that the change would be noticed.
<b>Magnitude of change</b>	Negligible
<b>Predicted visual effects</b>	Negligible
<b>Nature of Visual Effects</b>	Negligible
<b>Proposed view with landscape mitigation</b>	There will be a very minor alteration or loss to the view  Proposed planting to the Site edges will not be visible from this location at 15 years.
<b>Magnitude of Change with landscape mitigation in place</b>	Negligible
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Negligible
<b>Nature of Visual Effects with mitigation measure in place</b>	Negligible
<b>Sites with the potential to cause cumulative visual effects</b>	Cumulative site 2 – Himley Village will curtail views towards the Site, obscuring it and the existing phases of the Axis J9 development. The Development will not, therefore, be visible together with Himley Village from this point.

**Table 7.2:** Assessment of Visual Effects – Illustrative view 2, AVR View VP02

<b>View 2 – View east from road between Middleton Stoney and Bucknell, 200m north of Middleton Stoney Road</b>	
<b>Figure Reference</b>	2.2
<b>Distance</b>	Long
<b>Direction</b>	East
<b>Season and Condition</b>	Summer
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Highway users
<b>Reason for view selection</b>	View from public highway
<b>Description of existing view</b>	View from Highway looking across to Site. The Site is located to the centre of the view. The foreground is occupied by ungrazed pasture. To the right of the view, dense native tree and hedgerow planting forms the edge to Bignell Park. There is a mature tree located within the hedgerow, to the centre of the view.
<b>Visual Susceptibility</b>	Medium
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	Medium
<b>Proposed view</b>	There will be no alteration or loss to the view  Local landform, earthworks to the M40 and vegetation to field boundaries obscure views to the Site.
<b>Magnitude of change</b>	Negligible
<b>Predicted visual effects</b>	Negligible
<b>Nature of Visual Effects</b>	Negligible
<b>Proposed view with landscape mitigation</b>	There will be no alteration or loss to the view  Local landform, earthworks to the M40 and vegetation to field boundaries obscure views to the Site, so that the Development and the associated planting proposals will not be visible from this position.
<b>Magnitude of Change with landscape mitigation in place</b>	Negligible
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Negligible
<b>Nature of Visual Effects with mitigation measure in place</b>	Negligible
<b>Sites with the potential to cause cumulative visual effects</b>	Cumulative site 2 – Himley Village may be visible from this point and will curtail views towards the Site. The Site is not visible from this position, and the two proposed developments will not, therefore, be visible together from this point.



**Table 7.3:** Assessment of Visual Effects – Illustrative view 3, AVR View VP03

<b>View 3 – View south east from public bridleway 148/4/10</b>	
<b>Figure Reference</b>	2.3
<b>Distance</b>	Long
<b>Direction</b>	South-east
<b>Season and Condition</b>	Summer.
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Public bridleway users
<b>Reason for view selection</b>	View from local public right of way network, similar to views available from Upper Farm
<b>Description of existing view</b>	<p>View from public bridleway looking across to Site</p> <p>The Site is located in the centre of the view. There is an arable field in the foreground and low-level is visible on the distant boundary. Occasional tree planting in field boundaries is visible. To the right hand side of the view Trees on the northern boundary of Bignell Park are visible. Graven Hill to the south of Bicester is visible beyond the Site. Roofs of the built phases of the Axis J9 Development are visible just above the trees.</p>
<b>Visual Susceptibility</b>	Medium
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	Medium
<b>Proposed view</b>	<p>There will be a very minor alteration or loss to the view</p> <p>Glimpsed views of the roofs/upper limits of the Development will be possible during winter months but these will not be obvious features in the landscape.</p>
<b>Magnitude of change</b>	Low
<b>Predicted visual effects</b>	Negligible
<b>Nature of Visual Effects</b>	Negligible
<b>Proposed view with landscape mitigation</b>	<p>There will be a very minor alteration or loss to the view</p> <p>The augmentation of existing hedgerows with tree and whip planting to the Site boundaries will soften the outline of built form. Within the proposed residential areas, street trees and amenity planting will break up the massing of built form.</p>
<b>Magnitude of Change with landscape mitigation in place</b>	Negligible
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Negligible
<b>Sites with the potential to cause cumulative effects</b>	2, 3, 4
<b>Additional magnitude of change</b>	There will be a minor change to the view. Cumulative site 2 – Himley Village will curtail views towards the Site, obscuring it and the existing phases of the Axis J9 development. The two proposed developments will not, therefore, be visible together from this point.
<b>Predicted additional effect</b>	Negligible

**Table 7.4:** Assessment of Visual Effects – Illustrative view 4, AVR View VP04

<b>View 4 –View south east from public bridleway 148/4/10</b>	
<b>Figure Reference</b>	2.4
<b>Distance</b>	Long
<b>Direction</b>	South-west
<b>Season and Condition</b>	Summer
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Public right of way users
<b>Reason for view selection</b>	View from local public right of way network, similar to views available from Upper Farm
<b>Description of existing view</b>	The Site is located in the centre of the view, beyond the rise in the arable fields that form the foreground. The tops of tree planting to field boundaries are visible above the horizon. The view is taken through a gap in a native hedgerow that forms the field boundary.
<b>Visual Susceptibility</b>	Medium
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	Medium
<b>Proposed view</b>	There will be a no alteration or loss to the view.  Local landform and vegetation to field boundaries obscure views to the Site from this position.
<b>Magnitude of change</b>	Negligible
<b>Predicted visual effects</b>	Negligible
<b>Nature of Visual Effects</b>	Negligible
<b>Proposed view with landscape mitigation</b>	There will be no alteration or loss to the view.
<b>Magnitude of Change with landscape mitigation in place</b>	Negligible
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Negligible
<b>Nature of Visual Effects with mitigation measure in place</b>	Negligible
<b>Sites with the potential to cause cumulative visual effects</b>	Cumulative sites 2, 3 and 4 may be visible from this point and will curtail views towards the Site. The Site is not visible from this position, and the committed development cannot, therefore, be visible together with the Development from this point.

**Table 7.5:** Assessment of Visual Effects – Illustrative view 5, AVR View VP05

<b>View 5 – View from public footpath 148/3/20 by Middleton Road</b>	
<b>Figure Reference</b>	2.5
<b>Distance</b>	Long
<b>Direction</b>	South east
<b>Season and Condition</b>	Summer
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Highway users and public right of way users
<b>Reason for view selection</b>	View from public right of way network and local highways
<b>Description of existing view</b>	The public right of way runs through a field of pasture. The boundary in the middle ground of the view consists of hedge planting and scrub to the sides of the cutting through which the rail line runs. Some vegetation to field boundaries beyond the rail line is visible.
<b>Visual Susceptibility</b>	Medium
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	Medium
<b>Proposed view</b>	There will be no alteration or loss to the view  Local landform and vegetation to field boundaries obscure views to the Site from this position and the Development will not be visible.
<b>Magnitude of change</b>	Negligible
<b>Predicted visual effects</b>	Negligible
<b>Nature of Visual Effects</b>	Negligible
<b>Proposed view with landscape mitigation</b>	There will be no alteration or loss to the view  Local landform and vegetation to field boundaries obscure views to the Site from this position and the Development, including the planting scheme, will not be visible.
<b>Magnitude of Change with landscape mitigation in place</b>	Negligible
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Negligible
<b>Nature of Visual Effects with mitigation measure in place</b>	Negligible
<b>Sites with the potential to cause cumulative visual effects</b>	Cumulative sites 2, 3 and 4 may be visible from this point and will curtail views towards the Site. The Site is not visible from this position, and the two proposed developments will not, therefore, be visible together from this point.

**Table 7.6:** Assessment of Visual Effects – Illustrative view 6, AVR View VP06

<b>View 6 – View south from public bridleway 148/4/10 east of Aldershot Farm</b>	
<b>Figure Reference</b>	2.6
<b>Distance</b>	Medium
<b>Direction</b>	South south west
<b>Season and Condition</b>	Summer
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Public right of way users. Similar views available from Aldershot Farm
<b>Reason for view selection</b>	View from local public right of way network, and similar to views from isolated residential receptor at Aldershot Farm.
<b>Description of existing view</b>	The view is taken through a gap in the field boundary. Beyond the arable field behind the hedgerow vegetation and a building on the derelict Gowell Farm are visible. To the right of the building, one of the units of the Phase 1 Axis J9 development may be seen.
<b>Visual Susceptibility</b>	Medium
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	Medium
<b>Proposed view</b>	<p>There will be a minor alteration or loss to the view, affecting the existing skyline.</p> <p>Built form to the Site will be visible from this location above the skyline, to either side of the trees and building to Gowell Farm, closer to the viewer than that which has already been built. This built form will be not uncharacteristic of the existing view. The building and vegetation to Gowell Farm will continue to screen the Site.</p>
<b>Magnitude of change</b>	Medium
<b>Predicted visual effects</b>	Moderate
<b>Nature of Visual Effects</b>	Adverse
<b>Proposed view with landscape mitigation</b>	<p>There will be a minor alteration or loss to the view, affecting the existing skyline.</p> <p>Planting to the northern edge of the Site will help to soften and screen the appearance of new built form, integrating it into the visual context, but the ridgelines will remain visible above the existing skyline to either side of Gowell Farm.</p>
<b>Magnitude of Change with landscape mitigation in place</b>	Medium
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Moderate
<b>Nature of Visual Effects with mitigation measure in place</b>	Adverse
<b>Sites with the potential to cause cumulative visual effects</b>	Cumulative sites 2 and 4 may be visible from this point and will curtail views towards the Site. The proposed developments will not, therefore, be visible together from this point.

**Table 7.7:** Assessment of Visual Effects – Illustrative view 7, AVR View VP07

<b>View 7 – View south west from junction of Howes Lane and Shakespeare Drive</b>	
<b>Figure Reference</b>	2.7
<b>Distance</b>	Close
<b>Direction</b>	Southwest
<b>Season and Condition</b>	Summer
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Highway users
<b>Reason for view selection</b>	View from Bicester ring road
<b>Description of existing view</b>	Vegetation to the western side of Howes Lane partially obscures and filters views to the Site. A communications pole and the sky may be glimpsed through gaps in the vegetation. Howes Lane and the traffic lights to the junction with Shakespeare Drive are visible in the foreground.
<b>Visual Susceptibility</b>	Low
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	Medium low
<b>Proposed view</b>	<p>There will be a very minor alteration or loss to the view</p> <p>The Development will not be visible with leaf cover and hedge heights as shown in the baseline image. Without leaf cover, and when hedges have been more recently cut glimpses of new built form to the Site may be visible behind existing vegetation to Howes Lane. This will not be uncharacteristic of the existing view.</p>
<b>Magnitude of change</b>	Negligible
<b>Predicted visual effects</b>	Negligible
<b>Nature of Visual Effects</b>	Negligible
<b>Proposed view with landscape mitigation</b>	<p>There will be a very minor alteration or loss to the view</p> <p>The Development will not be visible with leaf cover and hedge heights as shown in the baseline image. Without leaf cover, augmented vegetation to the edges of the Site will further help to screen new built form, and to integrate it into the visual context.</p>
<b>Magnitude of Change with landscape mitigation in place</b>	Negligible
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Negligible
<b>Nature of Visual Effects with mitigation measure in place</b>	Negligible
<b>Sites with the potential to cause cumulative visual effects</b>	Cumulative site 2 – Himley Village may be visible from this point, but it is likely that the Development and the woodland to the west of the Site will screen it. Himley Village and the Development will therefore not be visible together.

**Table 7.8:** Assessment of Visual Effects – Illustrative view 8, AVR View VP08

<b>View 8 – View west from pedestrian link between Dryden Avenue and Howes Lane</b>	
<b>Figure Reference</b>	2.8
<b>Distance</b>	Close
<b>Direction</b>	West
<b>Season and Condition</b>	Summer
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Residents, users of pedestrian link
<b>Reason for view selection</b>	Representative of views available to residents to the current western edge of Bicester
<b>Description of existing view</b>	Howes Lane runs across the foreground of the view. A gap in the hedgerow to the verge west of Howes Lane allows views into the Site, and to the woodland beyond. The Site currently consists of ungrazed grassland with some signs of the movement of construction traffic and soil storage .
<b>Visual Susceptibility</b>	High
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	High medium
<b>Proposed view</b>	There will be a partial alteration to the view. The proposed built form on the Site is visible through the gap in the hedgerow with new tree planting and species rich grassland appearing in the middle ground. Views to the woodland on the far side of the Site, and to built form in Phase 1 of the Axis J9 development are blocked. The Development will occupy the background of the view and will break the skyline and change the character and quality of the view.
<b>Magnitude of change</b>	Moderate
<b>Predicted visual effects</b>	Moderate -Major
<b>Nature of Visual Effects</b>	Adverse
<b>Proposed view with landscape mitigation</b>	There will be a minor alteration to the view. Tree and native woodland planting to the eastern edge of the Site screens and filters the building elevations facing Howes Lane. The screening and filtering is most effective during the months of leaf cover.
<b>Magnitude of Change with landscape mitigation in place</b>	Low
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Moderate
<b>Nature of Visual Effects with mitigation measures</b>	Adverse
<b>Sites with the potential to cause cumulative visual effects</b>	Cumulative site 2, 4 and 10 may be visible from this point, but it is likely that the Development and the woodland to the west of the Site will screen them.
<b>Additional magnitude of change</b>	Development on these sites might be glimpsed from this position, but would not further raise the magnitude of change.
<b>Predicted additional visual effects</b>	Remains moderate-major adverse without mitigation, and moderate adverse with mitigation

**Table 7.9:** Assessment of Visual Effects – Illustrative view 9, AVR View VP09

<b>View 9 – View west from Beckdale Close</b>	
<b>Figure Reference</b>	2.9
<b>Distance</b>	Close
<b>Direction</b>	West
<b>Season and Condition</b>	Summer
<b>Condition and Visibility</b>	Overcast. Good visibility
<b>Type of Receptor</b>	Residents, highway users
<b>Reason for view selection</b>	Representative view from within the western edge of Bicester
<b>Description of existing view</b>	The view looks down Beckdale Close, towards the Site. 20 <sup>th</sup> century semi-detached residential properties flank the view, which terminates at Numbers 49-55, facing the viewpoint and parallel to Howes Lane. Behind the houses, trees to the verge between the back gardens and Howes Lane are visible.
<b>Visual Susceptibility</b>	High
<b>Value attached to view</b>	Moderate
<b>Visual Sensitivity</b>	High Medium
<b>Proposed view</b>	There will be a minor alteration to the view  Glimpses of built form are possible through the gaps between residential properties, but these do not break the skyline.
<b>Magnitude of change</b>	Low
<b>Predicted visual effects</b>	Moderate
<b>Nature of Visual Effects</b>	Adverse
<b>Proposed view with landscape mitigation</b>	There will be a very minor alteration to the view  At 15 years, planting to the eastern edge of the Site will not obscure the eastern elevations of new built form, thus reducing the magnitude of change.
<b>Magnitude of Change with landscape mitigation in place</b>	Negligible
<b>Predicted Visual Effects with landscape mitigation in place (residual effect)</b>	Negligible
<b>Nature of Visual Effects with mitigation measure in place</b>	Adverse
<b>Sites with the potential to cause cumulative visual effects</b>	The view looks towards cumulative sites 2, 4 and 10, but existing built form and significant vegetation will screen them from this point.

## **Narrative assessment of individual residential visual receptors**

7.13 At the request of Cherwell District Council, a narrative assessment of the visual effects on the farms found to the north and west of the Site has been provided as follows.

### **Aldershot Farm**

7.14 Aldershot Farm lies approximately 0.5km north of the Site, and immediately north of Public Bridleway 148/4/10. The farmhouse is separated from the bridleway by mature tree planting to the front garden. Bands of tree planting to the south of the bridleway add further layers of screening to open land to the south. Built form and vegetation to the derelict Gowell Farm will also obscure views to the south.

7.15 These features are likely to screen the Development from Aldershot Farm, and any change would be unlikely to be noticed. Planting to the north of the Site would help to screen any glimpses of built form as it matured.

7.16 Aldershot Farm is likely to experience visual effects as a result cumulative assessment sites 2 and 4. Site 4 surrounds the farm and is likely to result in a high level of visual effect to this receptor. Development on these sites would curtail views to the Development.

### **Himley Farm**

7.17 Himley Farm lies 0.5km west of the Site. The farm is separated from the Site by a block of existing woodland approximately 40m wide.

7.18 This existing vegetation screens views of the Site, and it is likely that the Development will not be visible above it. Where the Development is visible, this will be as glimpses of ridgelines only, above the tree tops.

7.19 Himley Farm is likely to experience visual effects as a result of cumulative assessment site 2. This site surrounds the farm, and is likely to result in transformative visual effects.

### **Linkslade**

7.20 Linkslade lies 1km west of the Site, in the angle between the eastern embankment of the M1 and Middleton Stoney Road. Substantial mature tree planting to the western, southern and eastern boundaries of the Site rises above the height of the roof, screening the house form the surrounding countryside in all directions except the north.

7.21 This substantial vegetation will screen the Site from the property, preventing visual change as a result of the Development.

7.22 Cumulative assessment site 2, Himley Farm lies between Linkslade and the Site. Development on this site is also likely to be screened by existing vegetation. To the north, where views from the property are more open, glimpses of development on cumulative sites 3 and 4 may be visible.



## **Upper Farm**

- 7.23 Upper Farm lies immediately east of Middleton Road, approximately 2km north west of the Site. Views from the farm are relatively open, and the gradual slope of the land enables views over field boundary hedgerows in the direction of the Site.
- 7.24 The belt of existing woodland to the west of the Site will screen views of the Development, and combined with the distance separating receptor and Site, it is unlikely that the Development will be noticed from this location.
- 7.25 Cumulative sites 2 and 4 lie between the receptor and the Site. Development on these sites is likely to curtail views towards the Site, meaning that there will not be additional visual effects.

## **Crowmarsh Farm**

- 7.26 Crowmarsh Farm lies approximately 1.25km north west of the Site. Mature tree planting to the south eastern boundary screens views towards Bicester. An area of woodland and trees to the watercourse running out of it further screen views to the south. The belt of mature woodland running parallel to Howes Lane, west of the Site blocks views from Crowmarsh Farm towards the Site.
- 7.27 Cumulative sites lie between the receptor and the Site. Glimpses of development on these sites may be possible, and would further curtail views towards the Site.

## **Lovelynych House**

- 7.28 Lovelynych House lies just under 1km west of the Site. Substantial mature tree planting to the southern, western and northern boundaries screen and filter views in these directions. Views east from the house are more open, though partially blocked at ground floor level by an apparently single storey ancillary structure that runs along the boundary.
- 7.29 Filtered views are likely to be possible from Lovelynych House to the phase of the Axis J9 currently under construction. Existing mature vegetation to the western boundary of the Site are likely to screen views of the Development.
- 7.30 Cumulative site 2, Himley Farm lies east of the receptor. This development will curtail views towards the Axis J9 development, screening it and preventing the schemes being visible together from this position.

## Summary of visual effects

- 7.31 The Site is visible from a range of viewpoints as identified in **Figure 2.0**. The views are representative of a range of distances, locations, occupancies and activities within the landscape.
- 7.32 Due to the terrain, surrounding vegetation and built form, long-distance views (over 3km away) from the Development are not possible.
- 7.33 The potential visible effects of the Development have been taken into account which includes for the height, massing and position of the buildings within the Site. The modelling of the Development has been based on the masterplan by Cornish Architects, and verified views prepared based on these proposals and the baseline photography. In addition, modelling of the mitigation proposals within the views have been modelled based on the planting proposals shown on drawing 0897-RFM-XX-00-DR-L-0003 and are shown after 15 years' growth.
- 7.34 The predicted Visual Effects range from negligible to moderate-major adverse. With mitigation, the predicted Visual Effects will be reduced to between negligible and moderate adverse. The moderate effect is limited to just two views view 06, which is from a public bridleway at medium distance , and (View 08) which is in the immediate proximity of the Site.
- 7.35 In respect of residential receptors, the most substantial Visual Effects will be experienced by view 8. This view is predicted to experience moderate effects (after mitigation) which will be adverse in nature. This is due to a high magnitude of change and high medium sensitivity as a result of the proximity and residential nature and high susceptibility of the receptor. View 9 is predicted to receive moderate adverse effects. However, this is reduced to negligible when the benefit of mitigation is taken into consideration. The difference in visual effect between Views 8 and 9 illustrates that effects will significantly reduce with greater separation of residents from the Site boundary. The highest level of effect will be experienced only by those properties on the very edge of Bicester, i.e. those located parallel to Howes Lane.
- 7.36 The predicted Visual Effects upon the majority of views are negligible. This is due to negligible magnitudes of change and to receptors with low and medium sensitivities. Levels of effects are not dissimilar to the previously consented scheme and are consistent with the Site's allocation.
- 7.37 Proposed mitigation measures include the positioning of buildings, the augmentation and reinforcement of existing vegetation to the Site, and proposed planting to bunds around the eastern and northern edges of the Site. These mitigation measures will also better assimilate the Development into the existing landscape context. With mitigation, the highest level of effect on views 06 & 08, which are reduced to moderate adverse.
- 7.38 The potential for cumulative effects on the views has been assessed. Where effects from the Development are negligible, additional effects to views caused by other consented schemes have been discounted. There is no additional increase in the level of effects due to the addition of the cumulative sites.

## 8 Conclusions

### Site proposals

- 8.2 The Site is located approximately 1.8km west of Bicester town centre, on the edge of the town. The Site is 6.2ha in area and is not situated within a 'sensitive area' (as defined in Part 1 of the EIA Regulations) (i.e. a Site of Special Scientific Interest (SSSI), National Park, Area of Outstanding Natural Beauty, World Heritage Site (WHS), Scheduled Monument or European Site) and is not subject to any statutory or non-statutory designations for nature conservation or heritage. The Site is not in, or within the vicinity, of any statutory or non-statutory designated landscape views.
- 8.3 The Site is currently in agricultural use and slopes gently from north west to south east. The vegetation to the Site consists of grassland, hedgerows to the northern and eastern boundaries and an area of woodland to the west. There are no public rights of way on the Site. A public bridleway is located approximately 500m to the north of the Site, parallel to the railway line (Chiltern Main Line). The Site is currently accessible informally off road via Phase 1 and Phase 2 of the Axis J9 development. There is no direct access from Howes Lane.
- 8.4 The full planning application is for a flexible employment use development of up to 14,835 sqm Gross External Area, with associated parking spaces, access from the Axis J9 development (prior to the SLR being delivered), and the delivery of part of the SLR within the Site. 40% provision of Green Infrastructure will be made, which will include features for biodiversity net gain, landscape screening and drainage.
- 8.5 The masterplan for the Site includes several key mitigation proposals with regards to landscape character and appearance. These include the retention of existing boundary vegetation, and its augmentation and reinforcement with additional native hedgerow and woodland planting. Tree planting to the edges and interior of the Site associated with the boundaries will further help to screen and filter views of the Development, softening the appearance of built form and helping it to integrate into the landscape and visual context. Buildings have been carefully positioned relative to existing development and each other.

### Landscape effects

- 8.6 It is identified that the Development results in Landscape Effects that are predicted to range from minor beneficial to moderate adverse. However, major moderate effects occur, and are limited to, the Site area only. It is likely that any development on the Site would be transformational cause a substantial alteration to its character, and would be likely to occur with any form of built development.

- 8.7 The most substantial Landscape Effects will be experienced by Landscape Character Area 4: Agricultural Land. This is predicted to experience moderate effects which will be adverse in nature. This is due to a medium magnitude of change acting on a landscape of moderate sensitivity. This magnitude of change would be experienced with most types of development on a Site of this nature, and has been accepted in principle by virtue of Cherwell District Council's allocation of the Site. This landscape character area is most closely aligned with the Wooded Estatelands character identified by the Oxfordshire Wildlife and Landscape Study (OWLS), but covers a much smaller area. The area of highest value, Chesterton village will experience negligible effects as a result of the Proposed Development.
- 8.8 Landscape receptors including settlement, land use and patterns of significant vegetation and Green Infrastructure will also be affected, but local planning policies within the Cherwell Local Plan<sup>5</sup> allocate the area around the Site for mixed use development, and set principles and guidelines for its implementation. As the Proposed Development is in line with this policy, this lowers the susceptibility of this receptor to resultant change.
- 8.9 The effects on the landscape during construction will be limited and temporary (2 years) and will be no greater than the long term effects of the Development.
- 8.10 Lighting effects are not considered to be significant within the existing setting of Bicester and the area employment development to the south. Any form of development will, in all likelihood, require lighting both internally and externally. External lighting will be seen against a backdrop of other suburban and employment lighting in the immediate vicinity.
- 8.11 Landscape mitigation measures are proposed to reduce long term Landscape Effects, short term effects relating to the construction activity, and any potential lighting effects. Mitigation measures will include the careful positioning of built form within the Site, the reinforcement and augmentation of boundaries through native hedgerow, tree and woodland planting, and the creation of bunds around the Site, which will elevate some of this planting making it more effective at creating separation between the Development and the landscape context.
- 8.12 The effects on the landscape during construction will be limited, temporary and short term (2 years) and will be no greater than the long term effects of the Proposed Development.

## **Visual effects**

- 8.13 Viewpoint locations range from close to long distance, with the longest viewpoint located at 2.5km away from the centre of the Site. The Visual Sensitivity of receptors range from low to high medium.
- 8.14 The predicted Visual Effects of the Development, with mitigation, range from negligible to moderate adverse

- 8.15 In respect of effects on residential receptors on the western edge of Bicester View 08 illustrates the high susceptibility of residents to visual change combines with a moderate value of view to give these receptors a high medium sensitivity. Their proximity to the Development will result in a medium magnitude of change, giving a major - moderate visual effect. With mitigation, this effect will be reduced to moderate adverse. Visual effects are similar or lower than in the previous consented scheme and consistent with the levels of effects expected under the Site's allocation.
- 8.16 View 1 has a low sensitivity due to the low susceptibility of highway users to visual change. The existing Axis J9 development acts as a detractor in this view, giving a low sensitivity. From this and the majority of other viewpoints, the Development will not result in any discernible visual change, and there will be a negligible level of visual effect.
- 8.17 The proposed landscape mitigation will help to assimilate the Development into the suburban and rural context. Mitigation proposals include: the careful positioning of built form within the Site, the reinforcement and augmentation of boundaries through native hedgerow, tree and woodland planting, and the creation of bunds around the Site, which will elevate some of this planting making it more effective at screening new built form. The landscape mitigation proposals reduce the Visual Effects of the development and are characteristic of the surrounding area.

### **Planning policy & landscape-related designations**

- 8.18 The Site is located within the Cherwell District Council administrative area. There are a number of planning policies at both the national and local levels that affect the Site in relation to landscape and visual issues as identified in section 3.
- 8.19 The relevant sections of the NPPF<sup>4</sup> and the Cherwell Local Plan<sup>5</sup> seek to ensure that new developments achieve well designed places while protecting and enhancing the natural environment, increasing Green Infrastructure and biodiversity and integrating well into the local landscape. Policies to protect the surrounding environment are highly relevant in the development of proposals for this Site, and principles and principles and guidelines from the North West Bicester Masterplan SPD<sup>6</sup> have been incorporated in landscape proposals for the Site. These include policies relating to development edges, Green Infrastructure, tree planting, hedgerows and stream corridors and biodiversity.

## Summary conclusion

- 8.20 Overall, it is considered that the proposals can be integrated without substantial harm to the character of the landscape context. The landscape has some capacity to accommodate change, due to the surrounding context of built form, the frequency of the landscape character and potential for substitution, the ability of the Proposed Development to deliver on the mixed use allocation within the Cherwell Local Plan and the enclosure of the Site meaning that it is well separated in landscape and visual terms from its wider context.
- 8.21 Visibility of the Site from long and close-range views demonstrate the physical and visual containment of the Site by landform, significant vegetation and existing built form. It has been demonstrated that the visual and landscape effects can be reduced through effective mitigation, which assimilates the development proposals within the surrounding landscape.
- 8.22 Summaries of Landscape Effects and Visual Effects are provided at **Table 8.1** and **Table 8.2** respectively.

**Table 8.1:** Landscape Effects Summary

<b>Landscape receptor</b>	<b>Landscape Sensitivity</b>	<b>Magnitude of Change</b>	<b>Landscape Effect and Nature</b>	<b>Landscape Effect with mitigation (residual effect) and Nature</b>	<b>Cumulative effects</b>
<b>Topography</b>	Medium-low	Low	Minor moderate adverse	Minor moderate adverse	Moderate adverse (all sites)
<b>Significant vegetation</b>	Medium	Negligible	Negligible	Minor moderate beneficial	Minor moderate beneficial (all sites)
<b>Settlement</b>	Low	Low	Minor adverse	Minor adverse	Moderate adverse
<b>Land use</b>	Low	Low	Minor adverse	Minor adverse	Moderate adverse
<b>LCA 1. Estate parkland</b>	Medium low	Negligible	Negligible	Negligible	No cumulative effects
<b>LCA 2. Bicester suburban residential</b>	Medium low	Low	Minor moderate adverse	Minor moderate adverse	Moderate adverse (Sites 3, 4 and 10)
<b>LCA 3. Chesterton village</b>	Medium	Negligible	Negligible	Negligible	No cumulative effects
<b>LCA 4. Agricultural land</b>	Medium	High within the Site, medium elsewhere	Moderate major within the Site, moderate elsewhere	Moderate major within the Site, minor moderate elsewhere	Moderate major adverse (Sites 2, 3, 4, 10)
<b>LCA 5. Employment Site</b>	Low	Low	Minor adverse	Minor adverse	Minor moderate adverse (Sites 2, 4, 10)
<b>LCA 6. Emerging suburban residential</b>	Medium low	Negligible	Negligible	Negligible	No cumulative effects

**Table 8.2:** Visual Effects Summary

<b>View</b>	<b>Visual Sensitivity</b>	<b>Magnitude of change</b>	<b>Visual Effect and Nature</b>	<b>Visual Effect with mitigation (residual effect) and Nature</b>	<b>Cumulative effect</b>
1	Medium Low	Negligible	Negligible	Negligible	No cumulative effects
2	Medium	Negligible	Negligible	Negligible	No cumulative effects
3	Medium	Negligible	Negligible	Negligible	No cumulative effects
4	Medium	Negligible	Negligible	Negligible	No cumulative effects
5	Medium	Negligible	Negligible	Negligible	No cumulative effects
6	Medium	Medium	Moderate adverse	Moderate adverse	No cumulative effects
7	Medium low	Negligible	Negligible	Negligible	No cumulative effects
8	High medium	Medium	Major – moderate adverse	Moderate adverse	No cumulative effects
9	High medium	Low	Moderate adverse	Negligible	No cumulative effects



## 9 References

- 1 *Guidelines for Landscape & Visual Impact Assessment, third edition* (2013) Landscape Institute, IEMA; Routledge
- 2 Arboricultural report TG Report No. 10706\_R11\_RA\_HM
- 3 Phase 1 Habitat Survey and GCN eDNA Survey. Tyler Grange, included at Appendix 10.3
- 4 *National Planning Policy Framework* (2021) Ministry of Housing, Communities and Local Government  
Found at: <https://www.gov.uk/government/publications/national-planning-policy-framework--2>
- 5 *Cherwell Local Plan 2011-2031 Part 1*, July 2015. Cherwell District Council  
Found at: <https://www.cherwell.gov.uk/info/83/local-plans/376/adopted-cherwell-local-plan-2011-2031-part-1>
- 6 *North West Bicester Masterplan Supplementary Planning Document*, February 2016. Cherwell District Council and Oxford County Council  
Found at: <https://www.cherwell.gov.uk/downloads/download/281/north-west-bicester-spd-main-document-february-2016>
- 7 *NCA Profile: 107. Cotswolds*, March 2013, Natural England  
Found at: <http://publications.naturalengland.org.uk/publication/5900626>
- 8 Oxfordshire Wildlife and Landscape Study (OWLS)  
Found at: <http://owls.oxfordshire.gov.uk/wps/wcm/connect/occ/OWLS/Home/Oxfordshire+Districts/>

## Appendix A:

### Figures

- 1.1 - Site location
- 1.2 - Landscape context
- 1.3 - Landscape designations
- 1.4 - Settlement pattern, significant vegetation & open space
- 1.5 - Landform
- 1.6 - Landscape Character Areas
- 1.7 - Visual envelope
- 1.8 - Illustrative landscape masterplan
- 1.9 - Viewpoint locations

# Appendix B:

Document rbmp.2142: NW Bicester AVR Verified Views 30.08.22

## Appendix C:

### Assessment Methodology

#### Introduction

1. This Appendix sets out the methodology adopted within this Landscape and Visual Assessment (LVA) to assess the landscape and visual effects of the proposed intervention. The methodology is informed by guidance contained within the Guidelines for Landscape and Visual Impact Assessment (The Landscape Institute and Institute of Environmental Assessment, 3rd Edition, 2013), often referred to as 'GLVIA 3'.
2. Landscape and visual matters are separate, although closely related and interlinked issues, and are dealt with as such throughout the LVA. The methodologies for assessing both are outlined separately below.

#### Baseline Study

3. The initial step of the LVA is to review the existing landscape and visual resource in the vicinity of the proposed intervention, known as the 'baseline' landscape and visual conditions. This is a process of gathering information, as part of a desk study and subsequent field survey work, to understand features and characteristics of the landscape, the way the landscape is experienced, the quality and the value or importance of the landscape, and visual resources in the vicinity of the proposed intervention. The data collected forms the basis from which the landscape and visual effects of the intervention are identified and assessed.
4. The Landscape baseline study records the existing elements that make up the landscape in the study area, including:
  - Physical influences: Landform, waterbodies, vegetation types and patterns;
  - The influence of human activity: Land use, management, settlement and buildings, patterns and types of field enclosure;
  - The aesthetic and perceptual aspects of the landscape: Scale, complexity, openness, tranquillity or wilderness;
  - The condition of the landscape, i.e. the state of an individual area of landscape; and
  - Reference to policy or designations as an indicator of recognised value, including specific features or characteristics that justify the designation of the area.

This informs a concise description of the existing character of the intervention site and its surrounding landscape and enables the classification of the landscape into distinct character areas or types, which share common features and characteristics.

5. The visual baseline study records and establishes the following:
  - The area in which the intervention may be visible. This is identified by a process of map interpretation and / or digital mapping to construct a map showing the area from which the proposed intervention may theoretically be visible, or its Zone of Theoretical Visibility (ZTV)

- The different types of people (receptors) who may experience views of the proposed intervention and the viewpoints where they will be affected
- The nature of the views at the viewpoint

## Assessment of Landscape Effects

### General

6. The landscape assessment considers the potential effects of the proposed intervention on the components of the landscape as an environmental resource (as identified within the Baseline Study). Physical change to the landscape may result in changes to the distinctive character of that landscape and other surrounding landscapes and how they are perceived.
7. Landscape receptors which could be affected by a proposed intervention may include:
  - Individual constituent elements and features of the landscape;
  - Specific aesthetic and perceptual qualities of the landscape;
  - The overall character and key characteristics of the landscape as experienced in different areas (e.g. landscape character areas or types).
8. The level of the Landscape Effects identified is determined by a consideration of the **Sensitivity** of the landscape receptors and the **Magnitude of Change** to the landscape;
  - The Sensitivity of a landscape receptor combines judgements of their **Susceptibility** to the type of intervention proposed and the **Value** attached to the landscape receptor.  
  
Sensitivity = Susceptibility + Value
  - The **Magnitude of Change** to the landscape receptor depends upon the size or scale of the intervention, the geographical extent of the area experiencing change and its duration and reversibility.  
  
Magnitude of Change = Size/scale of intervention + geographical extent of change + duration / reversibility of change

(Refer to Figure A: Landscape Assessment Process and Table 6: Landscape Effects)

### Landscape Susceptibility

9. Susceptibility is defined as the ability of the landscape receptor (whether it be the overall character or quality of a particular landscape type or area, or an individual element and/or feature, or particular aesthetic and perceptual aspects) to accommodate the proposed intervention without undue consequences for the maintenance of the baseline situation and/or the achievement of landscape planning policies and strategies. The susceptibility of a landscape to change is dependent on the characteristics of the receiving landscape and the type and nature of the intervention proposed. (see paragraph 5.40 of GLVIA 3).

(Refer to Table 1: Landscape Susceptibility)

### **Landscape Value**

10. This is defined as the relative value that is attached to different landscapes by society. Landscapes can be valued by different people for different reasons, connected to a range of factors including landscape quality, scenic quality, rarity, representativeness, conservation interests, recreation value, perceptual aspects and associations. This consensus can be recognised at a local, regional or national or international scale. (see paragraph 5.44 and 5.45 of GLVIA 3).

(Refer to Table 2: Landscape Value)

### **Landscape Quality**

11. Quality is defined as a measure of the physical state of the landscape. It may include the extent to which typical character is represented in individual areas, the intactness of the landscape and the condition of individual elements. (see Glossary of GLVIA 3).
12. A judgement of the Landscape Quality is considered an important consideration in determining Landscape Value.

(Refer to Table 3: Landscape Quality)

### **Landscape Sensitivity**

13. The sensitivity of a landscape receptor combines judgements of their Susceptibility to the type of intervention proposed and the Value attached to the landscape. (see paragraph 5.39 of GLVIA 3).

(Refer to Table 4: Landscape Sensitivity)

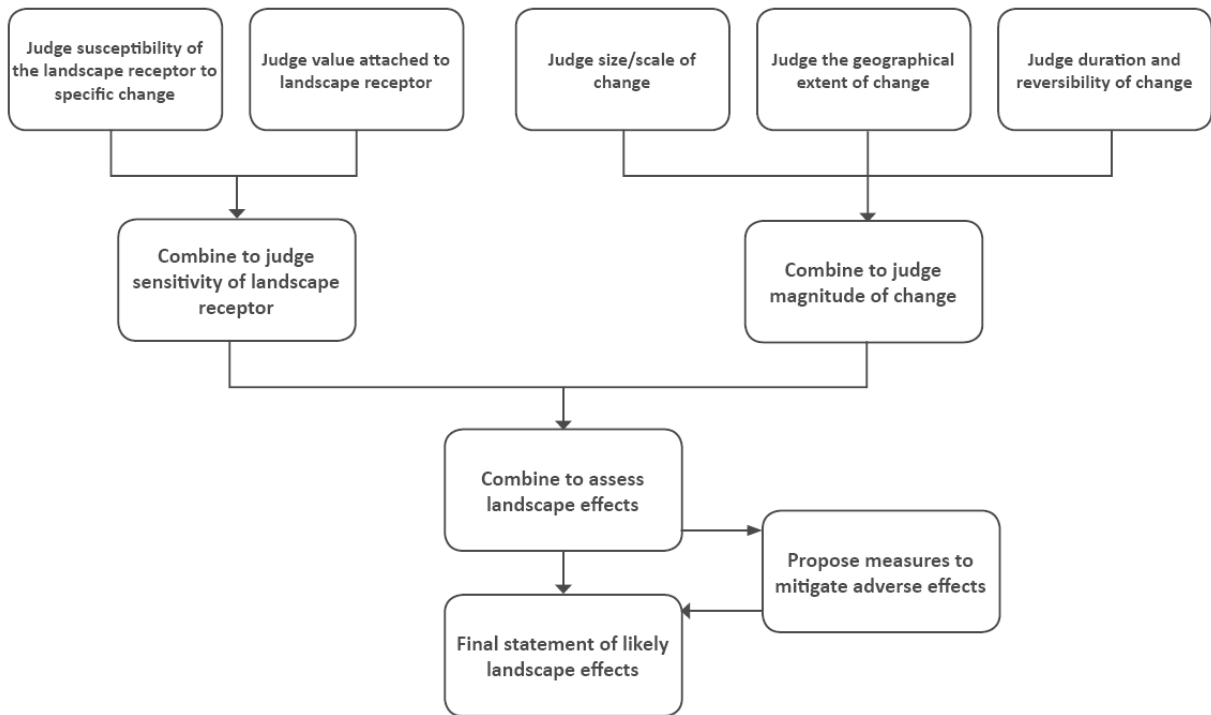
### **Magnitude of Change (Landscape)**

14. Is defined as the degree of change to the landscape receptor in terms of the following:
  - Size and scale of intervention that is proposed. This relates to both physical scale of the intervention and the degree of aesthetic / perceptual qualities that are altered.
  - Geographical extent over which the landscape effects will be experienced. This is distinct from size or scale, as for example there may be large scale addition to a very localised area or small-scale addition to a large geographical area. In summary, the geographical extent may be a site level or the immediate setting of the site, or to a larger extent that effects the wider landscape character area or several landscape character areas.
  - Duration and reversibility of the intervention. Duration is judged as either short term, medium term or long term. Duration and reversibility are considered together and relates to permanence, e.g. housing development is permanent, whereas mineral working may be partially reversible in that the landscape could be reinstated to nearly its original form over time.

(Refer to Table 5: Magnitude of Change [Landscape])



**Figure A: Landscape Assessment Process**



**Table 1: Landscape Susceptibility**

Level	Description
<b>High</b>	Little or no ability to accommodate the proposed intervention without adverse consequences for the retention of the existing landscape baseline, or the delivery of landscape planning policies or strategies
<b>Medium</b>	Some ability to accommodate the proposed intervention without adverse consequences for the retention of the existing landscape baseline, or the delivery of landscape planning policies and strategies
<b>Low</b>	An ability to accommodate the proposed intervention without adverse consequences for the retention of the existing landscape baseline, or the delivery of landscape planning policies and strategies.



**Table 2: Landscape Value**

Level	Description	Level	Typical Examples
<b>Exceptional</b>	<p>Exceptional importance and / or rarity.</p> <p>High / Very High Quality</p> <p>No or very limited potential for substitution</p>	<p>International,</p> <p>National</p>	<p>World Heritage Site, National Park, AONB</p>
<b>High</b>	<p>High importance and / or rarity.</p> <p>Good / High Quality</p> <p>Limited potential for substitution.</p>	<p>National,</p> <p>Regional,</p> <p>Local</p>	<p>AGLV, LCI, ALLI, Conservation Area</p>
<b>Moderate</b>	<p>Medium importance and / or rarity.</p> <p>Medium / Good Quality</p> <p>Limited / some potential for substitution</p>	<p>Regional,</p> <p>Local</p>	<p>Undesignated but value perhaps expressed through non-official publications or demonstrable use.</p>
<b>Low</b>	<p>Low importance.</p> <p>Poor / Medium Quality with degradation</p> <p>Frequent and common with scope for substitution</p>	<p>Local</p>	<p>Areas identified as having some redeeming feature or features and possibly identified for improvement.</p>
<b>Very Low</b>	<p>No notable importance.</p> <p>Poor / Very Poor Quality and widely degraded / damaged</p> <p>Frequent and common with scope for substitution</p>	<p>Local</p>	<p>Areas identified for recovery.</p>

(Also see Table 3 for Quality criteria)

**Table 3: Landscape Quality**

Level	Description
<b>Very High</b>	<p>Very strong and distinctive landscape structure, with characteristic land patterns and a balanced combination of landform and land cover, creating an overall strong sense of place</p> <p>Appropriate management for land use and land cover</p> <p>Distinct and widespread features worthy of conservation</p> <p>Very good conditions with no detracting features.</p>
<b>High</b>	<p>Strong landscape structure, with characteristic land patterns and a balanced combination of landform and land cover creating a notable sense of place.</p> <p>Appropriate management for land use and land cover, but potentially scope to improve</p> <p>Distinct features worthy of conservation</p> <p>Good condition with very occasional / limited detracting features</p>
<b>Good</b>	<p>Distinguishable landscape structure, with some characteristic land patterns and a combination of landform and land cover which is relatively balanced.</p> <p>Some scope to improve management of land use and land cover</p> <p>Some features worthy of conservation</p> <p>Good condition with some detracting features</p>
<b>Medium</b>	<p>Relatively distinguishable landscape structure, with some characteristic patterns of landform and land cover, which is imbalanced or considered uncharacteristic in places</p> <p>Scope to improve management of land use and land cover</p> <p>Some features worthy of conservation</p> <p>Moderate condition with some detracting features</p>
<b>Poor</b>	<p>Weak landscape structures, with limited and mixed characteristic patterns of landform and land cover</p> <p>Lack of management and intervention has resulted in degradation.</p> <p>Limited features worthy of conservation</p> <p>Poor condition with frequent detracting features</p>
<b>Very poor</b>	<p>Degraded and damaged landscape structure where mixed land use dominates</p> <p>Lack of management and intervention has resulted in significant degradation</p> <p>Very limited / no features worthy of conservation</p> <p>Degraded and damaged condition with widespread and frequent detracting features</p>

**Table 4: Landscape Sensitivity**

		Landscape Susceptibility		
		Low	Medium	High
Landscape Value	Exceptional	<b>High Medium</b>	<b>High</b>	<b>High</b>
	High	<b>Medium</b>	<b>High Medium</b>	<b>High</b>
	Moderate	<b>Medium Low</b>	<b>Medium</b>	<b>High Medium</b>
	Low	<b>Low</b>	<b>Medium Low</b>	<b>Medium</b>
	Very Low	<b>Low</b>	<b>Low</b>	<b>Medium Low</b>

Note: In this LVA Landscape Sensitivity is primarily expressed on a three-point scale of High, Medium or Low. Where appropriate and in certain circumstances, intermediate levels such as High Medium is used. In this instance the higher of the two levels is adopted to provide a robust judgment of Landscape Effects. For example, where the Landscape Sensitivity is High Medium, 'High' will be taken forward to assess Landscape Effects (see Table 6).

In exceptional circumstances a reasoned narrative is set out in the LVA in order to justify instances where intermediate levels are considered appropriate for taking forward to assess Landscape Effects so that it is clear how each judgement has been made.

**Table 5: Magnitude of change (Landscape)**

Level	Description
<p><b>High</b></p>	<p><i><b>Total loss or substantial alteration</b> to key elements / features / characteristics of the baseline or introduction of elements considered to be <b>totally uncharacteristic</b> when set within the attributes of the receiving landscape.</i></p> <p>The intervention is of a <b>large physical scale</b> and would impose a <b>totally different aesthetic and perceptual quality</b> to the site in comparison to the baseline conditions.</p> <p>The change brought about by the proposed intervention <b>would influence several landscape character types / areas</b></p>
<p><b>Medium</b></p>	<p><i><b>Partial loss or alteration</b> to one or more key elements/ features/ characteristics of the baseline or introduction of elements that <b>may be prominent</b> but may <b>not necessarily be considered to be substantially uncharacteristic</b> when set within the attributes of the receiving landscape.</i></p> <p>The intervention is of a <b>moderate or large physical scale</b> and would introduce a <b>number of different aesthetic and perceptual qualities</b> to the site in comparison to the baseline conditions.</p> <p>The change brought about by the proposed intervention <b>would only influence the landscape character type/area within which the proposal lies.</b></p>
<p><b>Low</b></p>	<p><i><b>Minor loss or alteration</b> to one or more key elements/ features/ characteristics of the baseline or introduction of elements that <b>may not be uncharacteristic</b> when set within the attributes of the receiving landscape.</i></p> <p>The intervention is of a <b>small or moderate scale</b> and would <b>only introduce a minor difference in aesthetic and perceptual quality</b> to the site in comparison to the baseline conditions.</p> <p>The change brought about by the proposed intervention <b>would be localised and at the level of the immediate landscape</b> setting of the site.</p>
<p><b>Negligible</b></p>	<p><i><b>Very minor loss or alteration</b> to one or more to key elements/ features/ characteristics of the baseline or introduction of elements that are <b>not uncharacteristic</b> when set within the attributes of the receiving landscape.</i></p> <p>The intervention is of a <b>small scale</b> and would <b>not introduce any discernible difference in aesthetic and perceptual quality</b> to the site in comparison to the baseline conditions</p> <p>The change brought about by the proposed intervention <b>would be at site level and within the intervention site itself.</b></p>

**Table 6: Landscape Effects**

		Landscape Sensitivity		
		Low	Medium	High
Magnitude of Change	High	<b>Moderate</b>	<b>Moderate - Major</b>	<b>Major effect</b>
	Medium	<b>Minor - Moderate</b>	<b>Moderate</b>	<b>Moderate - Major</b>
	Low	<b>Minor</b>	<b>Minor - Moderate</b>	<b>Moderate</b>
	Negligible	<b>Negligible</b>	<b>Negligible</b>	<b>Negligible</b>

15. In accordance with the methodology suggested by the GLVIA 3, the nature of effect in this assessment are classified as follows:

**Major Adverse Effect:** Where the proposed intervention would result in a complete variance from the scale, pattern and landform of the landscape, and cause a very high quality landscape to be permanently changed and its quality diminished.

**Moderate Adverse Effect:** Where the proposed intervention would be out of scale with the landscape, or conflict with the local pattern and character, and cause an adverse effect on a landscape of recognised quality.

**Minor Adverse Effect:** Where the proposed intervention would not quite fit into the local scale and pattern of the landscape, and affect an area of recognised character.

**None/Negligible:** Where the proposed intervention would complement the scale, pattern and character of the existing landscape, and no discernible character change was apparent.

**Minor Beneficial Effect:** Where the proposed intervention would fit in well with the scale, character and pattern of the area, and has the potential to improve the existing landscape quality.

**Moderate Beneficial Effect:** Where the proposed intervention would fit in well with the landscape character of the area, and improve the quality of the landscape.

**Major Beneficial Effect:** Where the proposed intervention would fit in very well with the landscape character of the area, and greatly improve the quality of the landscape.

## Assessment of Visual Effects

### General

16. The landscape assessment considers the potential effects of the proposed intervention on views from within the landscape or a settlement and if necessary, from individual or isolated components, such as small grouping of, or singular properties.
17. When assessing the visual effect of the proposed intervention, the area from which the proposed intervention is theoretically visible is established on plan through desktop surveys (or using digital software if available). Once this Zone of Theoretical Visibility (ZTV) is established, then the true visibility of the intervention site is checked on site in order to understand the screening effect of existing vegetation, buildings and other features and the effect of distance on a receptor's perception of the site. A number of key views are then selected within these areas which are most representative of the available views of the site.
18. Viewpoints are selected in order to demonstrate representative scenarios. It is not required that the assessment describe every effect of the proposed intervention, but only the main or likely level visual effects which are required to inform the decision-making authority. If necessary the viewpoints are agreed in advance with the local authority.
19. The level of the Visual Effects identified is determined by a consideration of the **Sensitivity** of the visual receptors and the **Magnitude of Change** to the view;
  - The Sensitivity of a visual receptor combines judgements of their **Susceptibility** to the type of intervention proposed and the **Value** attached to the particular view.  
  
Sensitivity = Susceptibility + Value
  - The **Magnitude of Change** to the view depends upon the size or scale of the intervention, the geographical extent of the area experiencing change and its duration and reversibility.  
  
Magnitude of Change = Size/scale of intervention + geographical extent of change + duration / reversibility of change

(Refer to Figure B: Visual Assessment Process and Table 11: Visual Effects)

### Visual Susceptibility

20. As defined within GLVIA 3, the susceptibility of different visual receptors to change in views and visual amenity is mainly a function of:
  - The occupation or activity of people experiencing the view at particular locations; and
  - The extent to which their attention or interest may there be focused on the view and the visual amenity they experience at particular locations

(Refer to Table 7: Visual Susceptibility)

## Value attached to Views

21. Judgements made about the value attached to views consider

- Recognition of the importance of the particular view, for example in relation to heritage or cultural assets, or through planning designations;
- Recognition of the quality of the landscape that is in view and the extent of visibility, for example wide panoramic views or restricted, narrow views;
- Indicators of the value attached to views by visitors, for example through appearance in guidebooks, provision of facilities for enjoyment of the view (including seating, parking, interpretive material) and references to them in literature or art.

(Refer to Table 8: Value attached to View)

## Visual Sensitivity

22. The sensitivity of a visual receptor combines judgements of their susceptibility to the type of intervention proposed and the value attached to the view. (see paragraph 6.31 of GLVIA 3).

(Refer to Table 9: Visual Sensitivity)

## Magnitude of Change (Visual)

23. As defined within GLVIA 3, the Magnitude of Change is the degree of change to the view in terms of;

### Size or scale

- Size and scale of the proposed intervention in the view with respect to the loss or addition of features in the view and changes in its composition, including the proportion of the view occupied by the proposed intervention;
- The degree of contrast or integration of any new features or changes in the landscape with the existing or remaining landscape elements and characteristics in terms of form, scale and mass, line, height, colour and texture;
- The nature of the view of the proposed intervention, in terms of the relative amount of time over which it will be experienced and whether views will be full, partial or glimpsed.

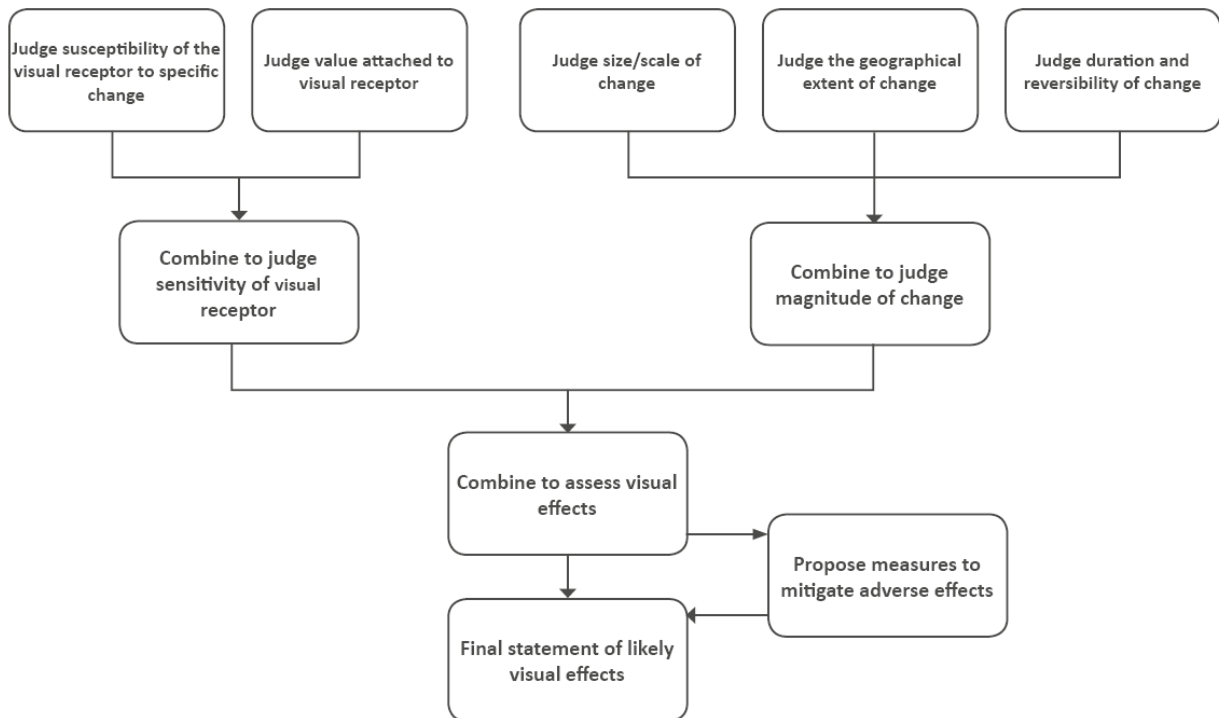
### Geographical extent

- The angle of view in relation to the main activity of the receptor;
- The distance of the viewpoint from the proposed intervention;
- The extent of the area over which the change would be visible.

### Duration and reversibility of the visual effect

Duration is judged as either short term, medium term or long term. Duration and reversibility are considered together and relates to permanence, e.g. housing development is permanent, whereas mineral working may be partially reversible in that the landscape could be reinstated to nearly its original form over time. (Refer to Table 10: Magnitude of Change [visual])

**Figure B: Visual Assessment Process**



**Table 7: Visual Susceptibility**

Level	Description
<b>High</b>	<p>Residents at home</p> <p>People, whether residents or visitors, who are engaged in outdoor recreation, including using public rights of way, whose attention or interest is likely to be focus on the landscape and particular view(s) e.g. users of a National Park or AONB.</p> <p>Visitors to heritage assets, or to other attractions, where views of the surroundings are an important contributor to the experience.</p> <p>Communities where views contribute to the landscape setting enjoyed by residents in the area.</p>
<b>Medium</b>	<p>Users of public rights of way or people engaged in outdoor recreation where the enjoyment of the landscape is incidental rather than the main interest.</p> <p>Travellers on road or rail, where the views are transient and sporadic, but have a special significance in either the journey or the expression of the place being visited.</p>
<b>Low</b>	<p>People at their place or work, whose attention may be focused on their work or activity and not their surroundings, or where the setting is not important to the quality of working life.</p> <p>Travellers on road or rail, where the speed of travel and nature of the views involved are short lived and have no special significance.</p>



**Table 8: Value attached to Views**

Level	Description
<b>High</b>	<p>Iconic, recognised or protected views through Supplementary Planning Guidance or development framework. View mentioned in the listing for a conservation area or literature / art.</p> <p>Wide panoramic distant views of a valued landscape(s).</p> <p>Views that are acknowledged or recorded in guide books or other publications and/or with references in culture such as literature or art.</p>
<b>Moderate</b>	<p>Views with distinctive features, or over a landscape of recognised character and quality, but relatively typical of the locality.</p> <p>Generally uninterrupted view / some minor obstruction</p> <p>Generally attractive with some detracting features</p>
<b>Low</b>	<p>Views of a degraded / damaged landscape or features with a low value and quality</p> <p>Restricted views with interruptions to the extent of view</p>

**Table 9: Visual Sensitivity**

		Visual Susceptibility		
		Low	Medium	High
Value attached to view	High	<b>Medium</b>	<b>High Medium</b>	<b>High</b>
	Moderate	<b>Medium Low</b>	<b>Medium</b>	<b>High Medium</b>
	Low	<b>Low</b>	<b>Medium Low</b>	<b>Medium</b>

Note: In this LVA Visual Sensitivity is primarily expressed on a three-point scale of High, Medium or Low. Where appropriate and in certain circumstances, intermediate levels such as High Medium is used. In this instance the higher of the two levels is adopted to provide a robust judgment of Visual Effects. For example, where the Landscape Sensitivity is High Medium, 'High' will be taken forward to assess Visual Effects (see Table 11).

In exceptional circumstances a reasoned narrative is set out in the LVA in order to justify instances where intermediate levels are considered appropriate for taking forward to assess Visual Effects so that it is clear how each judgement has been made

**Table 10: Magnitude of change (Visual)**

Level	Description
<b>High</b>	<p><b><i>Total loss or substantial alteration to the baseline view or introduction of elements considered to be totally uncharacteristic to view.</i></b></p> <p>The proposed intervention would <b>occupy a large and extensive proportion of the view</b> and would be <b>easily noticed</b> by the observer.</p> <p>The angle of the view and distance from the proposed intervention would result in a <b>prominent change to the existing view</b> and would <b>significantly change the character or quality</b> of the view.</p> <p>The proposed intervention <b>significantly breaks the skyline / horizon line</b> and is likely to be <b>visible across an extensive area</b>.</p>
<b>Medium</b>	<p><b><i>Partial loss or alteration to the baseline view or introduction of elements that may be prominent but may not necessarily be considered to be substantially uncharacteristic of the view</i></b></p> <p>The proposed intervention would <b>occupy a partial proportion of the view</b> and would <b>likely be noticed</b> by the observer.</p> <p>The angle of the view and distance from the proposed intervention would result in a <b>perceivable change to the existing view</b> that <b>will change the character or quality of the view</b>.</p> <p>A small proportion of the proposed <b>intervention breaks the skyline / horizon line</b> and is likely to be <b>visible across a relatively localised area</b>.</p>
<b>Low</b>	<p><b><i>Minor loss or alteration to the baseline view or introduction of elements that may not be uncharacteristic when set within the view.</i></b></p> <p>The proposed intervention would <b>occupy a relatively small proportion of the view / may only be glimpsed</b> in part and would <b>unlikely to be clearly noticeable</b> by the observer.</p> <p>The angle of the view and distance from the proposed intervention would result in a <b>slightly perceptible change in the existing view</b> but this would <b>not affect the character or quality</b> of the view.</p> <p>The proposed intervention <b>does not break the skyline / horizon line</b> and is likely to be <b>visible within a confined to a very limited area</b>.</p>
<b>Negligible</b>	<p><b><i>Very minor loss or alteration to the baseline view or introduction of elements that may not be uncharacteristic when set within the view.</i></b></p> <p>The proposed intervention would <b>not be visible / would occupy a very slight proportion of the view</b> and <b>not likely be noticed</b> by the observer.</p> <p>The angle of the view and distance from the proposed intervention <b>would result in no perceptible change in the existing view</b> and the <b>character or quality of the view will remain unchanged</b>.</p> <p>The proposed intervention <b>does not break the skyline / horizon line</b> and is likely to be <b>visible within the site extents only</b></p>

**Table 11: Visual Effects**

		Visual Sensitivity		
		Low	Medium	High
Magnitude of Change	High	<b>Moderate</b>	<b>Moderate - Major</b>	<b>Major effect</b>
	Medium	<b>Minor - Moderate</b>	<b>Moderate</b>	<b>Moderate - Major</b>
	Low	<b>Minor</b>	<b>Minor - Moderate</b>	<b>Moderate</b>
	Negligible	<b>Negligible</b>	<b>Negligible</b>	<b>Negligible</b>

24. The nature of effect in this assessment is classified as follows:

**Major Adverse Effect:** Where the proposed intervention would cause a significant deterioration in the existing view.

**Moderate Adverse Effect:** Where the proposed intervention would cause a noticeable deterioration in the existing view.

**Minor Adverse Effect:** Where the proposed intervention would cause a slight deterioration in the existing view.

**None / Negligible:** No discernible deterioration or improvement in the existing view.

**Minor Beneficial Effect:** Where the proposed intervention would cause a slight improvement in the existing view.

**Moderate Beneficial Effect:** Where the proposed intervention would cause a noticeable improvement in the existing view.

**Major Beneficial Effect:** Where the proposed intervention would cause a significant improvement in the existing view.

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**PINS REF:** APP/C3105/W/22/3304021

**LPA:** Cherwell District Council

**LPA REF:** (21/03177/F)

Land at Middleton Stoney Road & Howes Lane, Bicester.

**Written Statement – Landscape & Visual Issues, 1<sup>st</sup> September 2022**  
**Appendix GD B Part 2: ES, Volume II, LVA Chapter 6, Section 6 - Figures**

Guy Denton, BA (hons), DipLA (hons), CMLI, AoU

For  
Albion Land