

**SUPPLEMENTARY INFORMATION****Planning Committee****12 January 2023**

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# Planning Committee 12 January 2023 – Public Speakers

Agenda Item	Application Number	Application Address	Ward Member	Speaker – Objector	Speaker – Support
8	21/01630/OUT	Land North West Bicester Home Farm, Lower Farm and SRG2, Caversfield	None	Rob Fellows – local resident	Paul Martin – Firethorn Trust (Applicant)  Hannah Leary – Barton Willmore now Stantec (Agent)
9	22/02647/F	Unit 6, Oxford Technology Park, Technology Drive, Kidlington, OX5 1GN	None	None	Richard Cutler – Bloombridge (Applicant)
10	22/01683/F	Unit 7, Oxford Technology Park, Technology Drive, Kidlington, OX5 1GN	None	None	Richard Cutler – Bloombridge (Applicant)
11	21/02278/F	Oxford Technology Park, Langford Lane, Kidlington	None	None	Richard Cutler – Bloombridge (Applicant)
12	22/03224/F	Salvation Army, Swan Close Road, Banbury, OX16 5AQ	None	None	None

**CHERWELL DISTRICT COUNCIL  
PLANNING COMMITTEE**

**12 January 2023**

**WRITTEN UPDATES**

**Agenda item 8**

**21/01630/OUT**

**Land North West Bicester Home Farm, Lower Farm and SRG2, Caversfield**

**Additional consultation responses received**

BUCKNELL PARISH COUNCIL have objected to the development. They comment:

- The proposed development enters the boundary of Bucknell encroaching further into the open countryside and will erode the rural character of Bucknell.
- The village is already threatened by proposed residential developments from Bicester towards Bucknell and industrial and commercial developments from the north and east which cumulatively threaten the rural character of an historic village.
- There will be additional traffic through the village of Bucknell and will cause additional safety concerns for families with children and elderly residents.
- There has been no engagement from the developer or opportunity to input into proposals prior to this stage.

CAVERSFIELD PARISH COUNCIL:

- No further comments beyond those made within the original response made in August 2021.

THAMES WATER comments were missed from the report, their position is as follows:

- Thames Water has been unable to determine the waste water infrastructure needs of the application. A condition is recommended to ensure that there is sufficient capacity or sufficient capacity can be made for foul water drainage.
- As the application indicates that surface water will not be discharged to the public network, Thames Water has no objection, however approval should be sought from the LLFA.
- This catchment is subject to 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 in designing networks to ensure they don't surcharge and cause flooding.
- Thames Water have identified that there are capacity constraints with the off site water infrastructure needs to serve the development. Thames Water have identified that some capacity exists within the water network to serve 49 dwellings but that beyond this, upgrades will be needed. An appropriately worded planning condition should be attached to any approval to ensure that development doesn't outpace the delivery of essential infrastructure.
- Advice is provided regarding water mains crossing the site and constraints that arise for built development arising from these and in relation to development within 15m of their underground water assets. Informatives are recommended.

*Officer response*

- *There was some correspondence between the applicant Team and Thames Water highlighting discussions regarding capacity whereby it was indicated that there was more capacity than for 49 dwellings relating to foul water infrastructure. However this*

*has not been confirmed in a formal response from Thames Water to the Planning application. Nevertheless, Officers consider this matter to be resolvable via continuing discussions post committee where necessary and ultimately the imposition of a planning condition to ensure that development is phased appropriately alongside any required upgrades to accommodate development within the water network.*

### **Additional representations received**

Local Elmsbrook residents have contacted Officers to advise that they believe there are unresolved traffic impact analysis issues, which are summarised as follows:

- Why have the critical points regarding the traffic impact analysis of Elmsbrook roads, which are supported by traffic survey information and mathematical analyses not been addressed?
- The OCC Transport response summarised relates only to the A4095.
- There is no mention of transport/ traffic impacts in the 'key issues for consideration' at paragraph 9.1.
- Paragraph 9.94 discusses Charlotte Avenue and the narrowing north of the school but this does not consider the bottlenecks south east of the school where the greater volume of traffic actually flows.
- The Transport Assessment/ traffic analysis documentation uses COVID as an excuse to have not undertaken a traffic survey on Elmsbrook. There have been multiple surveys done, immediately prior to covid and since, in July 2021. A further survey was undertaken in September 2021. This is ignored and provides a way to assess the accuracy of the simulation data.
- Have the figures in the applicant's technical notes been fully checked to confirm accuracy/ validity? It is considered that there remain errors.
- Even if the applicant's information is relied on only, the best case RFC for the Charlotte Avenue junction is 0.87. This exceeds 0.85 which was a 'hard and fast' limit set out at Graven Hill. Allowing this would be inconsistent with decisions made elsewhere.
- By ignoring traffic surveys completely, the Council is opening itself up to a Judicial Review.
- The group wish for the Ecotown to grow but not at the expense of the road network to be ruined, especially when there are proposed easy solutions. These would also reduce the pollution created by vehicles. There would be a severe transport impact.

### **Further comments**

- The developer is trying to avoid building zero carbon homes yet this is required by Policy Bicester 1 and the Ecotown Masterplans Key Design Principle. The argument is purely one of financial viability and there are logical flaws in the costings.
- This is 530 homes when there are several thousand homes in other estates around Bicester. It is wrong for such a crucial part of the UK's first Ecotown to be scrapped purely for profit. If the developer can't make it work then it is better to delay until it can be done properly.
- The developer indicated that they were working to use the Ecotown's existing District Heating System, however it seems this is not the case giving flawed arguments regarding the environmental benefits of heat pumps in comparison. The DHS is designed for 1200 homes with operation break-even at 900 homes. It currently only serves 300 homes.
- It is critical that the Firethorn homes connect to this system meaning the design efficiencies of scale and the environmental benefits can be realised.

### **Officer comments**

In response to the Local residents comments, Officers would comment as follows (OCC Transport have supported with the responses to transport points):

- Regarding the narrowings southeast of the school at the bridge on Charlotte Avenue, the developer carried out an assessment of the impact of development traffic on the spine road which included consideration of this bridge. It showed how alterations could be made to better cater for both two way traffic and cyclists. This involved narrowings being removed and replaced with speed tables and other traffic calming features. The road is currently not yet adopted so the applicant has offered a contribution towards local road improvements. The extent of what this includes has been queried, but some could be put towards such works if they are found to be necessary in consultation with the local community.
- Whilst there may be a large difference in assumed trip generation for Gagle Brook school compared with surveys carried out by the local community, this is likely to be due to a significant proportion of pupils coming from outside Elmsbrook who are being brought to school by car. It is assumed that the school will cater much more for pupils within NW Bicester as it builds out so that by the time this development is built out and generating the predicted trips, the number of pupils being driven to school will be significantly lower.
- The current proposals from the adjacent development propose the road between their site and Elmsbrook as a bus only link thereby potentially significantly reducing predictions of car traffic over the bridge (subject to consideration of that proposal). *This is clarified through further checking that this is shown only as a 'potential' link. OCC have requested that this must, at least, be a sustainable transport link. It would not necessarily need to be a general traffic link for school purposes and it may be preferable for it not to be. OCC's position is likely to be that this would be preferred as a bus/ walking/ cycling link only.*
- There is concern over the number of vehicles that would be accessed from 'access B' and this should be kept to a minimum and a condition used to restrict this. The transport note for the development suggests a maximum number of 67 dwellings from 'access B' and 138 dwellings from 'access A'.
- It has been suggested to the applicant that the eastern parcel or at least some of it could be directly accessed from the B4100 which would be preferable to the use of 'access A' onto Charlotte Avenue. But the applicant's proposal does not include this and so their proposals have to be considered. Their proposals are found to be acceptable subject to localised widening.
- Regarding the use of local traffic surveys to validate the Bicester Transport Model (used for future year baseline traffic flows) – the Bicester Transport Model reference cases have been found to be acceptable for use in modelling junction capacity for developments in the area. The model has been fully validated and validation reports are available. Further validation using surveys commissioned by others is not considered necessary.
- The traffic flows in Transport Note 7 for Charlotte Avenue, north of Gagle Brook School were estimated using the same approach as the original TA for trip generation, modal split and containment which has been found to be acceptable.
- Regarding the point re. RFC at the Charlotte Avenue/ B4100 junction, it is not correct that a limit of 0.85RFC was used as a hard and fast limit for decisions regarding Pioneer roundabout at Graven Hill. This also considered queuing and delay. The application acknowledges that there would be an adverse impact on this junction and the applicant has agreed to make a contribution towards its signalisation.
- The issue of viability and meeting the standards for NW Bicester is assessed in detail within the appraisal of the recommendation report. There are many factors that need to be weighed in the overall balance as set out in the conclusion of the report and Officers have sought to recommend a balanced approach to resolving a proven viability issue.

- It is understood that should the development be connected to the local DHN based upon it currently being a gas CHP, that the development would not achieve the True Zero Carbon requirements for NW Bicester.

In response to the OCC Officer comments above, further comments have been received from local residents as follows (with Officer comments in *italics* where a response is required):

- Continued concern that only the 4.1m narrowing north of the school has been considered rather than the narrowings to the bridge at the south *this has been checked. In TN004 received in November 2021, a ‘Spine Road Assessment’ was undertaken which considered this point and addressed it. OCC are content with this issue.*
- The future assumption that all children will arrive on foot within the ecotown to the school is invalid. When you calculate trips using the original trip targets for the school, the peak trips will be slightly higher than they are now. *OCC have not raised an objection regarding the suitability of the spine road due to the localised road improvements sought.*
- The Hawkwell proposal does not preclude making the link to the south a car link also. As the school extension will be both sides of that join, it seems highly unlikely that this would be bus only. *There could be mechanisms used to secure this as a bus only link should that be deemed acceptable through considering the proposals to the south.*
- A simple solution to the issues would be to provide an entrance to the eastern parcel from the B4100.
- Elmsbrook travel surveys show that 60% targets are not being met by vehicle trips – they are being met by petrol/ diesel vehicles but Elmsbrook has a high percentage of electric vehicles. In any event there are vehicular trips because the site does not have everyday services such as a local centre, GP, pub etc and the nearest local ones are beyond walking distance for elderly residents etc. No additional facilities are proposed and so the same will be true for their site. *This is noted but is not unusual for a large site where the phased delivery of services is common to ensure that those delivered can be viably supported by the community. The current surveys reflect the lack of facilities in the local area and are not representative of the expected levels of trip containment when NW Bicester is built out.*
- The inputs to the model are vastly underestimated where they are not informed by true flows from the traffic surveys.
- The RFC at Charlotte Avenue will be significant taking into account current circumstances with no services at Elmsbrook and a very challenging target for the school.
- The conclusions regarding Braeburn Avenue are illogical – including the impact at the junction and the smaller feeder roads. *This is being checked and a response can be provided at Planning Committee.*

The applicant and their Legal Advisors have reviewed the Committee Report and have highlight points that they consider require clarification. These are as follows (with Officer comments in *italics* after each point):

- i. 2.1 - states “The land has some potential for ecology and is potentially contaminated”. This is misleading as full intrusive ground reports have been completed including radon gas monitoring which has not identified any contamination; *this is a reporting of the recorded constraints. We deal with the ground reports in the assessment.*
- ii. 3.5 – the Parameters were last updated on 16<sup>th</sup> December 2022, not March 2022; *noted and agreed – this is due to the lateness of the information being submitted and elements of the report being written prior to the submission of the latest*

- iii. 3.12 - states that as a means of achieving energy efficiency measures to mitigate the impact of climate change the development will include either off-site solar arrays or carbon offsetting. Whilst the energy strategy has considered a number of options we have never put forward any proposal for off-site solar arrays, so we are unclear as to why this is referred to in the Report; *this para outlines all the mitigation that has been explored including those which have been dismissed. The appraisal explains what is proposed by the development*
- iv. 9.23 - the wording is confusing here since it reads that the proposal does not deliver TZC development which is incorrect since our proposal provides for carbon offsetting to achieve this part of a package of measures; *as discussed this is disagreed. Concerns have been raised with the calculation and the level of contribution offered to offset carbon and, in any event, Officers have advised that this contribution should be retained for use on site to deliver additional benefits beyond the FHS. This is assessed later in the appraisal.*
- v. 9.26 - states that SSE are currently assessing how their infrastructure can be decarbonised to meet Building Regulation compliance. This is actually incorrect since they have already reported that this is not possible unless Government funding is provided to change the technology; - *noted but this wording refers to what is stated in the submitted exec summary of the outline energy statement – “Currently SSE Enterprise are undertaking a further review of decarbonising their heat infrastructure assets to enable connection that will achieve Part L of the Building Regulations beyond 2021.”*
- vi. 9.46 – we think that the wording should be more precise here and refer to the December 2022 amendments; *this is due to the lateness of the information being submitted and elements of the report being written prior to the submission of the latest. The conclusion of this section confirms that Officers are generally content with the information included on the proposed parameter plans.*
- vii. 9.48 – this conflicts with the views expressed at 9.57 and 9.120. The Conservation Officer is happy re: impacts, but the Report seems to be suggesting that there remains a concern re: impact, which gives an impression of inconsistency; *Officers disagree – this paragraph is reporting the facts of the outline masterplan and where the proposals vary from the masterplan. The assessment follows regarding the acceptability of this variance from the Masterplan.*
- viii. 9.125 and 9.127 - in para 9.125 significant but less than substantial harm is identified to Home Farmhouse, a grade II listed building, but there is then no identification of what specific public benefits clearly outweigh that harm – other than a very general statement in para 9.127 as to “provision of housing on an allocated site”. In our view something more specific is needed, if nothing else to demonstrate that the housing, and attendant benefits, cannot come forward without causing that level of harm; *Officers are content with the assessment provided. This could have been referred to within the overall planning balance as a negative impact but which is mitigated for by the public benefits of providing housing and increasing accessibility to the listed church, the lack of an objection from the Council’s Conservation Team who do not object to the level of setting due to sufficient mitigation being put in place and subject to detailed consideration of its treatment and the provision of a heritage enhancement zone. Whilst a negative impact, its mitigation would be acceptable and so this would not change the overall conclusion of the acceptability of the development.*

- ix. 9.154 – should make clear that the ponds which were not surveyed are on private land, hence why they were not surveyed; *noted Officers are content that this is a comprehensive assessment in context.*
- x. 9.222 – same point as at 9.23 above - in essence the carbon offset payment plus the package of adjusted TZC measures in the viability equal TZC. *See response above*
- xi. 9.251 – it would be helpful, and emphasise the conclusion more fully here, if there was reference back to the 5YHLS position; and – *this is a conclusion on viability – the planning balance is the place to balance in the 5yr supply position which is done.*
- xii. 10.1 – following on from the comments above on 9.125 and 9.127, the heritage impacts should be acknowledged in this concluding section, as to negative impacts. *See above.*

The applicant has provided some notes on the use of Modern Methods of Construction as follows (this is the applicant's position/ view):

*Assuming a similar specification and level of finish, there isn't a discernible cost differential between modular housing and traditional methods. Instead, the primary drivers for modular construction is speed of assembly to minimise on-site programme activities with lower on-site preliminaries, improved health and safety, reduced adverse weather risk and lower material wastage. This appeals to councils, neighbouring property owners and other stakeholders since it reduces extended disruption in the locality and other externalities such as traffic, noise and dust.*

*However, modular construction is still in its relative infancy. The modular home market in the UK predominantly caters for the self-build community, delivering bespoke, one-off projects. However, in time, the modular housing industry could become a scalable industry model that benefits from economies of scale, resulting in build cost improvements compared to traditional methods. However, it is unlikely in the medium term that this is achievable due to high barriers to entry (e.g. financing and pay-back period of considerable factory, plant and equipment set up) and slow uptake to date.*

*A scaled up modular sector, in time, could enable this sector to be able to cater for larger schemes with 100's of new homes. However, at present, modular housing is mainly limited to clusters/ small schemes/ subset of a wider scheme as a pioneering experiment.*

*Furthermore, in terms of viability, G&T would like to highlight the potential implications on the out-turn values and saleability for modular housing due to the perceived quality considerations by the end-user. G&T would therefore recommend the Client's agent is consulted on this important aspect on scheme viability. Coupled with this, modular volume housing design is limited by the manufacturing process, with the result that modular housing has limited designs and scope to customise. It is therefore perceived to be a partially homogenous end-product (and therefore less attractive) and does not have the flexibility that on-site traditional methods afford.*

*A final consideration on the suitability of modular housing from a saleability perspective is the lack of understanding from the mainstream lenders, which could make it tricky to access mortgages and therefore detracting potential buyers to a scheme.*



## **Recommendation**

The recommendation is as per the published agenda report, with delegation sought to conclude the wording of conditions (draft list below) and including reaching agreement with the Applicant's Agent and S106 heads of terms as per the full recommendation set out within report.

Officers also wish to further emphasise that should Members resolve to approve the planning application, that the recommendation is that further work is undertaken on viability to reach an agreed position which could result in additional affordable housing being secured above that identified as a minimum in the recommendation report (and should that be possible, Officers will ensure this is secured). The report highlights outstanding issues which will need to be worked through and some outstanding queries on matters such as the S106. Delegation is sought to progress the development and to secure the best possible outcome once further viability work is undertaken.

Planning Conditions for 21/01630/OUT: (Planning policy references to be added to the reasons)

## **Reserved Matters**

1i) Approval of the following details (hereinafter called the "Reserved Matters") relating to a Development Parcel, Strategic Landscaping Element or Strategic Engineering Element shall be obtained in writing prior to the commencement of development on that Development Parcel, Strategic Landscaping Element or Strategic Engineering Element.

- a. Appearance
- b. Scale
- c. Layout
- d. Landscaping
- e. Means of Access

ii) For the purpose of the permission the approved access is defined as Movement and Access - Parameter Plan, including access into the site,

Reason: To define the outline planning permission and in accordance with the requirements of the Town and Country Planning Act 1990 (as amended)

## **Time for Reserved Matters**

2 a) The first application for approval of reserved matters, including relating to Strategic Engineering or Landscaping, shall be made to the Local Planning Authority no later than three years from the date of this permission.

b) Development related to each reserved matters submission shall be commenced within two years of its approval unless otherwise stated.

c) The final Reserved Matters submission shall be submitted within 5 years of the date of this permission.

Reason: To define the timing of reserved matters submissions and in accordance with the requirements of the Town and Country Planning Act 1990 (as amended)

## **Development Parameters**

3 a) The development hereby permitted shall be carried out in accordance with the following approved plans and parameter plans which form the basis for future Reserved Matters and the detail to be outlined in the Design Code:

- i. Building Heights (Drawing ref: )
- ii. Movement and Access (Drawing Ref:)
- iii. Open Space (Drawing Ref:)

- iv. Site Location Plan (Drawing Ref:)
- v. Existing site levels (Drawing ref.)
- vi. Proposed site levels (Drawing ref.)

b) The Development Principles Document also forms part of the permission in setting parameters and principles of the permission.

Reason: To define the approved plans of the outline planning permission and the parameters for future submissions in accordance with Policy

### **Design Code**

4. Prior to the commencement of any development an Overarching Design Code shall be submitted to and agreed in writing by the Local Planning Authority. The Overarching Design Code shall include information relating to:

- a. The overall vision of the development as part of the delivery of NorthWest Bicester taking account of the timescale for development and potential innovation whilst allowing flexibility for changes in legislation and technology;
- b. The creation of character areas, neighbourhoods, development parcels and unifying features common across the wider development;
- c. Key buildings, frontages, primary and secondary streets and access points to create an appropriate hierarchy of routes based on sustainable travel hierarchy of walking, cycling, public transport and the car and measures to minimise opportunities for crime;
- d. The delivery of sustainability standards and the progression to true net zero carbon environments;
- e. A strategy and approach to public realm, including landscaping and sustainable drainage and public art;
- f. The promotion of modern and innovative methods of construction;
- g. The incorporation of flexible living and workspace and creating high quality homeworking environments and supporting infrastructure;
- h. A strategy of the design and delivery of the green and blue infrastructure;
- i. Design and space principles relating to the creation of formal and informal play areas to support the development of a Youth and Play Strategy.
- j. Timing for the submission of future Key Phase/Site Specific Design Codes and Documents referred to in part ii) of this condition and a mechanism for review and updating of the Overarching Design Code.

ii) In accordance with the timescale approved pursuant to part J) of part i) of this condition, the Reserved Matters submissions shall be submitted to and agreed in writing by the Local Planning Authority shall address all pertinent matters specific to the area covered including and in addition the following:

- a. The principles and structure of the blocks addressing key groupings or individual buildings, building form, massing, heights, scale and legibility, building typologies, density and use;
- b. Incorporation of flexible living and workspace and creating high quality homeworking environments;
- c. Unifying features and elements with previous Design Codes and character areas to create a single town; and
- d. Details of the Design Code review procedure, lessons learnt from previous parcels and/or design codes and of circumstances where a review shall be implemented.

Reason: To build a detailed and sustainable framework for the delivery of the long-term objectives and a design-led approach

### **Phasing Plan**

5a) No development shall commence apart from enabling works until such time as a Site Wide Phasing Plan for the development has been submitted to and approved in writing by the Local Planning Authority.

The Site Wide Phasing Plan shall contain sufficient information to show how the development will be delivered and shall outline the detail and timetable for the following:

- i) Details of Development Parcels and/or Key Phases including residential development parcels and mixed employment use areas (including approximate housing numbers, commercial floorspace and broad delivery timescales)
- ii) Strategic engineering elements (including drainage mitigation)
- iii) Strategic landscaping elements
- iv) The delivery of drainage and SuDS attenuation
- v) Relevant triggers with the associated s106 Legal Agreement and development timescales.
- vi) Construction Strategy and implementation of key mitigation for air quality and noise.
- vii) Public transport access and transport infrastructure
- viii) Implementation of recreational routes, play space and open space provision.
- ix) A mechanism for its review and where necessary amendment.

b) The development shall be carried out in accordance with the approved phasing contained within the Site Wide Phasing Plan.

c) In the event that the approved document under part a) requires amendment due to unforeseen circumstances, development slippage, amendment to the development programme or the development progressing in a different manner to the details submitted under the approved strategy, full amended details shall be submitted to and agreed in writing by the Local Planning Authority in accordance with part a) setting out the details of the amendments to the Site Wide Phasing Plan.

Reason: To build a detailed and sustainable framework for the delivery of the long-term objectives and a design-led approach in accordance with Policies

6. Every Reserved Matters Submission within the redline of the outline application shall be accompanied by an Environmental Statement and Design Code Compliance Statement.

Reason: To provide detailed and meaningful monitoring of the aims and objectives of the outline planning permission through the delivery of a sustainable framework of the delivery of the long-term objectives

### **Remediation and Ground Contamination**

7i) No development shall take place until:

a. The application site has been subject to a detailed scheme for the investigation and recording of contamination and remediation objectives have been determined through risk assessment and agreed in writing by the Local Planning Authority.

b. Detailed proposals for the removal, containment or otherwise rendering harmless any contamination (the Remediation Method Statement) have been submitted to and approved in writing by the Local Planning Authority.

ii) Prior to the first occupation of the dwellings hereby permitted, the works specified in any Remediation Method Statement detailed in Part i) of this Condition must be completed and a Verification report submitted to and approved in writing by the Local Planning Authority.

iii) If, during remediation or construction works, any additional or unexpected contamination is identified, then remediation proposals for this material should be agreed in writing by the Local

Planning Authority before any works proceed and shall be fully implemented prior to first occupation of the dwellings hereby approved.

Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with Policy

#### **WSI**

8) No development shall commence on a Development Parcel, Strategic Landscaping Element or Strategic Engineering Element until a Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Local Planning Authority relating to that Development Parcel, Strategic Landscaping Element or Strategic Engineering Element. The WSI shall include but not be limited to the following components relating to that Development Parcel, Strategic Landscaping Element or Strategic Engineering Element, completion of each will trigger the phased discharge of the condition:

i) Recording of existing built heritage assets and collation of records relating to built heritage assets which have been demolished as part of the development hereby permitted, and publication of the results

ii) Fieldwork in accordance with the approved programme of archaeological work, including open days for the public during excavations and temporary displays of artefacts found from the development site which shall be completed in accordance with the approved scheme for each identified archaeological site before any earthworks, Strategic Engineering Element and/or Development Parcel (as may be the case) commences on that archaeological site.

iii) Post-excavation assessment (to be produced for each archaeological site within 12 months of the completion of fieldwork on the relevant Development Parcel, Strategic Landscaping Element or Strategic Engineering Element) including the development of on-site interpretation resources containing information on heritage assets (as derived from the archaeological investigations)

iv) Completion of post-excavation analysis; preparation and deposition of site archive at a store agreed with the local planning authority; completion of an archive report; and the submission of a publication report (to be completed within 2 years of completion of the post-excavation assessments) and a strategy for community engagement and presentation to the general public and local groups at a facility to be agreed.

b) Each relevant Development Parcel, Strategic Landscaping Element or Strategic Engineering Element shall be carried out in its entirety in accordance with the approved WSI relating to that Development Parcel, Strategic Landscaping Element or Strategic Engineering Element.

Reason: To preserve and enhance the heritage assets on site and appropriate recording in accordance with the aims and objectives of Policy

#### **Soil Handling and Earthwork Strategy**

9) Prior to the commencement of development a Site-wide Soil Handling and Earthwork Strategy shall be submitted to and agreed in writing by the Local Planning Authority. Details to be submitted shall incorporate the principles outlined in Defra Code of Practice for the Sustainable Use of Soils on Construction Sites (or alternative or succeeding guidance and legislation) (including details within the Environmental Statement) and include details relating to:

- i) the need for soils stripped from the construction areas to be re-used appropriately to provide suitable conditions for the required end use,
  - ii) the maximisation of recycled or reused soils
  - iii) the location and details of soil storage away from watercourses (or potential pathways to watercourses) and
  - iv) any measures to ensure that potentially contaminated soil will be stored on an impermeable surface and covered to reduce leachate generation and potential migration to surface waters.
  - v) an Implementation and monitoring strategy to be incorporated into the Strategic Construction and Environmental Management Plan.
- b) The development hereby approved shall be carried out in accordance with the approved Site-wide Soil Handling and Earthwork Strategy.

Reason: To ensure that risks from the movement of soil and construction activity associated with development are appropriately managed throughout the construction timescale and across the delivery of the development appropriate to neighbouring land uses, together with managing controlled waters, property and ecological systems, neighbours and other offsite receptors in accordance with Policy

### **CEMP**

10a) Prior to the commencement of development a site wide Construction and Environmental Management Plan (CEMP) shall be submitted to and agreed in writing by the Local Planning Authority. The CEMP shall be based on the principles include the following:

- i) Implementation of the Soil Handling and Earthworks Strategy, including details of any piling, noise, vibration and associated mitigation;
- ii) Implementation air quality and dust suppression management measures through a Dust Management Plan;
- iii) The protection of the environment and implement best practice guidelines for works within or near water and habitats, including the appointment of a qualified ecologist to advise on site clearance and construction, in particular any works that have the potential to disturb notable ecological features;
- iv) Measures to minimising energy requirements and emissions from equipment and plant (including minimising the use of diesel or petrol powered generators and instead using mains electricity or battery powered equipment; powering down of equipment / plant during periods of non-utilisation; optimising vehicle utilisation; use of energy efficient lighting)
- v) Construction management measures to ensure the preservation of on site heritage assets and to ensure the preservation of on site designated heritage assets and ridge and furrow asset within the site
- vi) An Emergency Response / Spill Response Plan to be produced by the Principal Contractor(s) for the protection from contamination
- vii) A Construction Traffic Management Plan (CTMP) and traffic routing, temporary access and haul roads to ensure construction vehicles, materials and logistics saving measures are managed
- viii) Measures to minimise greenhouse gas emissions associated with the production of waste including the reuse and recovery of materials where possible, avoid excavation waste, management of water and water resources, the reuse and/or recycling of construction waste on-site in subsequent stages of the development
- ix) Measures to reduce the impact on neighbouring and nearby residents and associated temporary fencing, lighting and construction compounds and activity through the operational phase of development.
- x) Details of site management including a method for creation of logging of visitors and contractors on site, the monitoring incidents and complaints), including monitoring and reporting (including site inspections, soiling checks, compliance with Dust Management plan, etc) and, where appropriate, CCTV and tracking of contractor vehicles to ensure appropriate routing of vehicles.

Reason: To manage construction process and to ensure that the impacts to soils, air quality, contamination and ground conditions, ecological habitats, cultural heritage, noise and vibration, heritage assets, transport and waste as well as neighbouring and nearby residents and climate impacts are managed in accordance with the mitigation outlined in the Environmental Statement (including the Environmental Statement) and in accordance with Policies

### **Fibre Optic Strategy**

11a) As part of the first Reserved Matters submission for any Development Parcel, a strategy shall be submitted to and agreed in writing by the Local Planning Authority to demonstrate the completion of infrastructure to facilitate the provision of fibre optic cable to each Development Parcel and the timescale for the completion of the infrastructure in accordance with the agreed details.

b) The scheme shall be implemented in accordance with the agreed timescales and retained thereafter.

Reason: To provide appropriate and sustainable infrastructure for high speed internet connection in accordance with Policies

### **Future Homes Standard Strategy**

12a) Prior to or concurrently with the submission of the first Development Parcel Reserved Matters application, a strategy shall be submitted detailing how the development will progress to meet the Future Homes Standard, or above, to include targets for each element that:

- As a minimum, complies with national and local requirements for low and zero carbon.
- Create a Development that is resilient to energy price fluctuation and the impacts of climate change.
- Supports the transition of the UK target to be Net Zero Carbon by 2050.
- Reduce potable water demand through the efficient use of water to a maximum of 110 litres per person per day
- Include details for the management of wastewater (e.g. through rainwater harvesting)
- Manage water run-off through the incorporation of SuDS
- Minimise the generation of and increase the reuse of waste associated with demolition, excavation and construction
- Provide systems for efficient waste management during operation
- Provide for the sustainable use of materials and resources, considering embodied impacts, sourcing, conservation and reuse
- Promote and enable efficient low-carbon means of transport
- Ensure the reduction in energy use for heating and cooling
- Provide for electric charging points on all private properties
- Provide for charging points in street furniture for e-bikes and e-scooters, where appropriate
- Promote accessibility to and within the site through the delivery of non-vehicular routes.
- Protect and enhance biodiversity and habitat connectivity to achieve a Net Positive impact.
- Sustainable construction in buildings that deliver high levels of enhanced economic, social and environmental outcomes including lower operational costs.

b) The review and/or enhancement of environmental standards throughout the course of the development.

Reason: To ensure that the proposals meet the challenge of the legislation set out in the Climate Act 2008 as set out by the aims and objectives set out in the NPPF

### **Surface Water Drainage Strategy**

13 i) Any Reserved Matters submission shall include a detailed surface water strategy pursuant to the reserved matters site for which approval is sought. The strategy shall

demonstrate how the management of water within the reserved matters site for which approval is sought accords with the approved details the approved Flood Risk Assessment and Drainage Strategy. The strategy shall maximise the use of measures to control water at source as far as practicable to limit the rate and quantity of run-off and improve the quality of any run-off before it leaves the site or joins any water body.

ii) Each submitted strategy shall include details of all flow control system(s) and the design, location and capacity of all strategic SuDS features within the reserved matters submission site and shall include ownership, long-term adoption, management and maintenance schemes and monitoring arrangements and responsibilities. The strategy should also demonstrate that the exceedance of the designed system has been considered through the provision of overland flow routes.

iii) The development shall be carried out in full accordance with the approved relevant surface water strategy and no building constructed pursuant to that particular reserved matters approval shall be occupied or used until such time as the approved detailed surface water measures relating to that building have been fully completed in accordance with the approved strategy.

Reason: In order to reduce the risk of flooding, to ensure adequate flood control, maintenance and efficient use and management of water within the site, to ensure the quality of the water entering receiving water courses is appropriate and monitored and to promote the use of sustainable urban drainage systems to limit the volume and rate of water leaving the site in accordance with Policies CC/1, CC/4, CC/6, CC/8, NH/1, NH/4 and TI/8 of the SCLP and Policies NS/4, NS/12, NS/13, NS/17, NS/21, NS/23, NS/24, NS/25, and NS/27 of the NAAP and the aims and objectives of the NPPF.

### **SuDs management**

14. Details for the long term maintenance arrangements for the surface water drainage system (including all SuDS features) to be submitted to and approved in writing by the Local Planning Authority prior to the first occupation of any of the buildings hereby permitted. The submitted details should identify runoff sub-catchments, SuDS components, control structures, flow routes and outfalls. In addition, the plan must clarify the access that is required to each surface water management component for maintenance purposes. The maintenance plan shall be carried out in full thereafter.

Reason: To ensure the satisfactory maintenance of drainage systems, in accordance with the requirements of Policies

### **Travel Plan**

15 Prior to the commencement of development (excluding Enabling Works, Strategic Earthworks, Strategic Engineering and Strategic Landscape) a Framework Travel Plan shall be submitted for the approval of the Local Planning Authority.

b) The Framework Travel Plan submission will identify a package of measures consistent with the aim of reducing reliance on the car, and should include (but not be limited to) providing information on / promoting the use of alternative modes of transport, by:-

- i) The appointment of a travel plan co-ordinator,
- ii) The establishment of targets for modal shift,
- iii) The details of measures to be employed to achieve the identified targets,
- iv) Mechanisms for ongoing monitoring and review of targets and travel plan measures,
- v) Details of penalties and/or additional measures to be investigated / implemented in the event that the identified targets are not met.
- vi) Public transport information and ticket details;
- vii) Cycle provision, showers and lockers and associated infrastructure in workspace;

- viii) Walking and cycling initiatives;
- ix) Improving overall links to public transport infrastructure within Northstowe and to adjacent villages;
- x) Opportunities for alternative modes of transport and management of site operatives during construction; and
- xi) including binding methods of delivery, review, and monitoring of the measures in the Travel Plan (including the requirements of this condition).

c) The approved Framework Travel Plan shall be implemented as a Travel Plan during the first twelve months following the first occupation within each Development Parcel. Following the expiry of this period of time or such other period of time as may be agreed under part (b)xi) of this condition, a review of the Plan shall be carried out, and submitted to the Local Planning Authority for approval. The review will identify any refinements and clarifications deemed necessary to the Plan.

d) The occupation and use of the development shall comply with the requirements of the Travel Plan or the revised plan approved under part (c) of this condition.

*Reason:* To ensure the satisfactory functioning of the development, to promote the use of a range of modes of transport and minimise the use of the car in accordance with Policies

### **Youth and Play Strategy**

16. Prior to or concurrently with the submission of the first of the reserved matters submission for Strategic Engineering or Strategic Landscaping element, whichever is earlier, a Strategy for Youth Facilities and Children's Play provision across the Development, in accordance with the principles set out within the approved Design Code, shall be submitted to the Local Planning Authority for approval. The Youth and Play Strategy shall include sufficient details to demonstrate the implementation of the Sports strategy including specifications, location and phasing and include details of management, maintenance and governance. Reserved matters submissions shall take account of and be submitted in accordance with the approved strategy.

*Reason:* To ensure that the proposals deliver appropriate an amount and variety of sport and recreational opportunities for all ages in accordance with

### **Ecological Mitigation Implementation and Management Strategy**

17a) Prior to the commencement of development on any Development Parcel, Strategic Landscaping Element or Strategic Engineering Element a Site Wide Ecological Mitigation Implementation and Management Strategy shall be submitted to and agreed in writing by the Local Planning Authority taking forward the recommendations of the Environmental Statement and demonstrating how the development will achieve at least a total 10% biodiversity net gain/ This includes:

- i) Management of species (including translocation) and creation of habitats and species through the construction period including badgers, bats, water voles, great crested newts, reptiles, bird species and other species, including the removal of invasive and non-native landscaping, as appropriate.
- ii) Development of short and long-term mitigation and delivery of habitats through the implementation of landscaping and appropriate phasing to maximise the potential and biodiversity net gain in Strategic Landscaping elements.
- iii) Delivery of tree planting, bird and bat boxes and nesting opportunities and green/brown roofs within Development Parcels.
- iv) Development of green corridors and crossings to mitigate the impact of Strategic Engineering.
- v) Management strategies for new and retained habitats and environments.
- v) Monitoring measures to measure existing habitats being retained and the implementation of new biodiversity features.



- vi) a mechanism for the review and amendment of the strategy.
- b) The strategy shall be implemented throughout the construction period and Reserved Matters submissions for detailed Strategic Landscaping Elements, Strategic Engineering Elements and Development Parcels shall take account of and be submitted in accordance with the approved strategy.

Reason: To ensure that the proposals deliver appropriate an amount and variety of habitats and support the biodiversity net gain opportunities in accordance with the submitted Environmental Statement

### **Housing Mix, Space Standard and Homeworking**

18a) Prior to the submission of the first application for approval of Reserved Matters relating to the first Development Parcel including residential development within each Phase a housing mix strategy shall be submitted to and agreed in writing by the Local Planning Authority. All future Reserved Matters shall be informed by the agreed Strategy to achieve the agreed mix of dwellings across the development.

- b) As part of each residential Reserved Matters all residential properties are in compliance with national or local space standards, whichever provides a higher level of space.
- c) Provision of additional space to create the opportunity to support homeworking and include dedicated provision for work related storage shall be outlined at each Reserved Matters submission for residential development.

Reason: To achieve a balance of housing in accordance Policies BSC4 and the aims and objectives of the NPPF in achieving a balanced and integrated community and to meet the needs of flexible working in accordance with Policy Bicester 1 of Cherwell Local Plan and the associated Development Principles in the North West Bicester Supplementary Planning Document.

### **Hours of construction, burning of waste and reversing alarms**

19. As part of the Construction Phase of Development there shall be:

- i. No burning of waste on the site.
- ii. No demolition, construction or engineering works, (including land reclamation, stabilisation, preparation, remediation or investigation), shall take place on any Sunday, Bank Holiday or Public Holiday, and such works shall only take place between the hours of 08.00 to 18.00 weekdays and 08.00 to 14.00 Saturdays. No plant, machinery or equipment associated with such works shall be started up or operational on the development site outside of these permitted hours.
- iii. No use of the audible 'beeping' reversing alarms on construction or construction delivery vehicles. Alternative vehicle alarms should be used such as the use of white noise, infrared, or visible alarm systems.

Reason: To ensure that the amenities of neighbouring residents are not unduly inconvenienced by development of the site construction operations and in accordance with Policies

### **Lighting**

20a) Prior to the commencement of development in a Key Phase a detailed lighting strategy for the Key Phase shall be submitted to and agreed in writing by the Local Planning Authority. The details to be submitted shall include:

- i) Lighting for sports
- ii) Lighting for public realm and walking and cycling routes
- iii) Areas of ecological areas where lighting will be prohibited.
- iv) A strategy for roads and development parcels.

v) A strategy for mitigation to reduce light pollution during construction.

Reason: To minimise light pollution from the construction and operational phase of development and to ensure that the proposals are in accordance with the requirements of the Environmental Statement and Policies

#### **Site levels.**

21a) Notwithstanding the approved plans, as part of the Reserved Matters for a Development Parcel, details shall be submitted of site levels, earthworks and ground contamination for that Development Parcel to include protection of ground to be reinstated to landscape; methodology of any soil stripping, storage, handling, formation level decompaction, and soil re-spreading in accordance with the agreed Soil Handling and Earthworks Strategy.

b) All groundworks for that Development Parcel should be carried out in accordance with the approved details

Reason: To ensure that risks from the movement of soil and construction activity associated with development are appropriately managed throughout the construction timescale and across the delivery of the development appropriate to neighbouring land uses, together with managing controlled waters, property and ecological systems, neighbours and other offsite receptors in accordance with Policy

#### **Trees and Existing Woodland**

22a) As part of the Reserved Matters submission for a Strategic Landscaping Element or relevant Development Parcel of Development, a strategy and associated plans for the following insofar as they relate to that Phase of Development shall be submitted to and agreed in writing by the Local Planning Authority.

i) A strategy for the ongoing management, felling and replacement planting of any trees within existing woodland and trees shown on the submitted masterplan and within the Reserved Matters.

ii) A strategy for other standalone and groups of trees and hedgerows within the Strategic Landscaping Element.

iii) Details of tree protection measures relating to that Strategic Landscaping Element in accordance with BS5837:2012 (or succeeding and/or replacement legislation) to be maintained throughout construction.

iv) Details of new landscaping features (e.g. seats, dog bins, and footpaths) within the existing tree belts within the Strategic Landscaping Element.

v) A strategy for implementation and retention of new and existing trees, hedgerows or tree planting within the Strategic Landscaping Element

b) The development of each approved Reserved Matters submission shall be implemented in accordance with an agreed strategy and timescale and retained thereafter.

Reason: To ensure that the proposals deliver appropriate management and retention of the existing tree cover to the site in accordance with

#### **Amount of Development**

23. No more than 530 dwellings falling within Use Class C3 shall be constructed on the site.

Reason: To ensure that the significant environmental effects arising from the development are mitigated, as set out in the Environmental Statement, and sustainable development is achieved in accordance with Policy Bicester 1 of the Cherwell Local Plan 2011-2031 and Government guidance contained within the National Planning Policy Framework.

#### **Green Walking and Cycling Routes**

24. The Reserved Matters submission for any Strategic Landscaping Element or Development Parcel shall include details of green recreational routes for non-vehicular modes which include details of tree planting and landscaping, footpaths, cycleways, interpretation boards for heritage, ecology and community activity, seating, bins, site levels and a strategy for implementation and management and connections to neighbouring parcels.

b) The development of the relevant Strategic Landscaping Element shall be carried out in accordance with the agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

Reason: To ensure that the proposals deliver appropriate an amount and variety of recreational opportunities for all ages in accordance with the submitted

### **Community Gardens and Orchards**

25.a) As part of any Reserved Matters submission for any Development Parcel which incorporates community orchards or gardens, the following details relating to those community orchards shall be submitted to the Local Planning Authority for approval in writing:

- i) details of site levels and soil preparation,
- ii) planting to promote an edible landscape including fruit trees, shrubs and bushes,
- iii) boundary treatment and hedgerow planting,
- iv) any ancillary features such as seating, bins (including dog bins),
- v) arrangements for implementation and management of the area for the future community.

b) The development of such community orchards shall be carried out in accordance with the agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

Reason: To ensure that the proposals deliver appropriate an amount and variety of recreational opportunities for all ages in accordance with

### **Allotments**

26. The Reserved Matters submissions for any Development Parcel or Strategic Landscaping Element which incorporates allotment provision shall where appropriate include the following details:

- a) A plan of the allotments, principles of plot layout and design providing for a range of plot sizes designed to allow flexibility to meet the needs of future plot holders; areas for communal storage of, for example, manure and compost;
- b) Confirmation that the site of the proposed allotments is free from contamination and capable of growing fruit and vegetables for human consumption;
- c) Proposed management arrangements for the allotments (including topsoil and soil provision/management) including consultation with relevant bodies;
- d) Access and parking arrangements to allow easy and safe access to the allotments;
- e) Details of the ancillary features (e.g. bins, seats, water butts, greenhouses and sheds);
- f) Boundary treatment, including security arrangements for the allotments;
- g) Water supply, including use of stored rainwater and SuDS for watering crop and drainage arrangements to ensure that the proposed site for the allotments is free draining and does not impact on the wider drainage network (e.g. through silting up of the drainage network).
- h) Management arrangements and future maintenance agreements with an appropriate community body.

ii) The provision of allotments shall be carried out in accordance with the approved details and in accordance with the approved phasing programme.

### **Play in Strategic Landscape**

27. The Reserved Matters submission for any Strategic Landscaping Element which incorporate Local Equipped Areas of Play (LEAPs) or informal play facilities in accordance with the Site-Wide Strategy for Youth Facilities and Children's Play shall include details of site levels, play features, seating, pathways, planting and landscaping relating to that relating to that LEAP or NEAP and a strategy for their implementation and management.

b) The development of the Strategic Landscaping Element shall be carried out in accordance with the relevant agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

*Reason:* To ensure that the proposals deliver appropriate an amount and variety of recreational opportunities for all ages in accordance with the submitted Environmental Statement and Policies

### **Waste and Recycling Facilities**

28a) The Reserved Matters submission for any Development Parcel will include details of proposed refuse and waste recycling facilities for the proposed building(s) in that submission.

b) The approved scheme for any individual building shall be implemented before that building is brought into use and shall be thereafter retained.

c) No materials, goods or refuse shall be stored or deposited in the open on any part of the site at any time, other than as may be associated with construction on the site.

*Reason:* To ensure the satisfactory appearance and functioning of the development, and to promote recycling in accordance with the requirements of Policies

### **Foul Water**

29. No development shall commence, apart from Enabling Works, on the Strategic Engineering Element until a Foul Water Strategy for that Strategic Engineering Element has been submitted to and approved in writing by the Local Planning Authority. The strategy should include:

- a) Coloured plan to show the different foul and surface water sewers;
- b) Routes of all sewers for that Development Parcel;
- c) A programme phasing the delivery of such works;
- d) Provision for inspection by the Local Planning Authority.

The strategy as approved shall be constructed and completed in accordance with the approved plans/specification and the approved programme for their phased delivery.

*Reason:* In order to manage foul water drainage, maintenance and efficient use and management of water within the site, to ensure the quality of the water leaving the site and to manage the connections to the wider drainage network. In accordance with Policies

### **Hard and Soft Landscaping**

30. As part of the Reserved Matters submission for any Development Parcel a scheme of hard and soft landscaping works in that Development Parcel will be submitted for the approval of the Local Planning Authority. The submitted detail will set out how this supports and is complimentary to the other areas of the wider development and the approved Design Code elements:

These details will include the following in relation to the relevant Development Parcel:

- Identification of existing trees, shrubs and other vegetation to be retained
- Wildlife habitat creation of potential benefit to protected species. The extent, location and design of such habitat shall be shown clearly and fully described.
- The creation of a visually attractive and stimulating environment for the occupiers of the future development, and other users of the site.
- The eradication of Japanese knotweed or other invasive species on the site, if applicable.
- The replacement of trees proposed to be lost in site clearance works.
- Details of the future management of the landscape scheme.
- Ground preparation measures to be adopted.
- Full botanical details, numbers, locations, planting specifications and densities/ seeding rates of all plant material included within the landscape scheme.
- Existing and proposed levels.
- Programme for delivery of the approved scheme

b) The approved scheme for each Development Parcel shall be implemented in accordance with the relevant approved programme for delivery forming part thereof and shall be managed for at least 5 years from the completion of the relevant scheme, in accordance with the approved management details for that Development Parcel.

*Reason:* To ensure the satisfactory appearance of the development and protect wildlife.

### **Informal Play**

31. The Reserved Matters submission for a Development Parcel which incorporates Local Areas of Play (LAPs), Sites for Imaginative Play (SiPs) or other areas of informal play in accordance with the Site-Wide Youth and Play Strategy shall include details of site levels, play features, seating, pathways, planting and landscaping relating to that LAP, SiP or other area of informal play and a strategy for their implementation and management.

b) The development of each Development Parcel shall be carried out in accordance with the relevant agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

*Reason:* To ensure that the proposals deliver appropriate an amount and variety of recreational opportunities for all ages

### **LEAPs**

32. The Reserved Matters submission for a Development Parcel which includes a Local Equipped Areas of Play (LEAPs) in accordance with the Site-Wide Strategy for Youth Facilities and Children's Play shall include details of site levels, play features, seating, pathways, planting and landscaping relating to that LEAP and a strategy for its implementation and management.

b) The development of the Development Parcel shall be carried out in accordance with the relevant agreed details and retained thereafter.

c) Any trees or planting which form part of an agreed scheme pursuant to this condition and which should die or require replacement within the first 5 years after completion of the scheme shall be replaced as soon as practicable in the first available planting season.

Reason: To ensure that the proposals deliver appropriate an amount and variety of recreational opportunities for all ages

### **Noise Mitigation**

33. Within any reserved matters application in relation to any Development Parcel containing residential development a noise impact assessment and a noise attenuation / insulation scheme (having regard to the building fabric, glazing and background and purge / rapid ventilation requirements) to protect occupants or other users internally and externally as appropriate from B4100 and primary routes through the site traffic noise in accordance with the requirements of British Standard 8233:2014 'Sound Insulation and noise reduction for buildings-Code of Practice' (or any replacement guidance or standard), shall be submitted to and approved in writing by the Local Planning Authority. The scheme as approved shall be fully implemented before the residential use hereby permitted is occupied and shall be retained thereafter unless otherwise agreed in writing by the Local Planning Authority.

The noise insulation scheme shall demonstrate that the external and internal noise levels recommended in British Standard 8233:2014 "Sound Insulation and noise reduction for buildings-Code of Practice" (or as superseded) shall be reasonably achieved and shall include a timescale for phased implementation, as necessary.

The scheme as approved shall be fully implemented before the residential use hereby permitted is occupied and shall be retained in perpetuity unless otherwise agreed in writing by the Local Planning Authority.

REASON: To ensure that sufficient noise attenuation is provided to all residential properties to protect residents from the impact of internal site traffic noise and safeguard the amenity and health of future residents

**Conditions to be added following a full review to ensure all matters are covered and to ensure all required standards can be achieved regarding overheating, construction standards, Thames Water recommended conditions.**

**Condition to be added regarding a limit of development from each of the western and eastern parcels to be accessed south along Charlotte Avenue.**

Informatives:

'Commencement of Development' means the first date on which any material operation (as defined in Section 56(4) of the Act) forming part of the Development begins to be carried out on the Site or part thereof. 'Enabling Works' are defined within the s106 Legal Agreement.

'Development Parcel' means areas of built development, including Residential Development and the associated access and landscaping (including Local Areas of Play and communal and private residential gardens), car parking, roads and associated drainage.

'Key Phase' means a collection of development parcels that form one or more character areas to a create a development area and subphase for the development of a Design Code and other features of the outline planning permission.

'Net zero carbon' is taken to follow the definition contained in the UK Green Building Council's document Net Zero Carbon Buildings: A Framework Definition (April 2019), or any successor document which forms into the Council's Sustainable Development and Construction SPD and aspirations for Policy

'S106 Legal Agreement' means legal agreement made pursuant to s106 Town and Country Planning Act 1990 (whether or not with other powers) contributions and commitments to deliver infrastructure secured as part of this Outline Planning Permission

'Strategic Engineering Elements' means elements aside from Enabling Works which would include, for example, principal roads, junctions or roundabouts and associated infrastructure, bus links, and construction activity.

'Strategic Landscaping Elements' means space shown on the approved multi-functional green space parameter plan, play provision, retention of woodland and hedgerows, open space, sustainable drainage systems and green routes, footpaths and other areas not within a Development Parcel.

Thames Water recommended informatives

EIA informative

S106 informative

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

Planning obligation			Regulation 122 Assessment
Detail	Amounts (all to be Index linked)	Trigger points	
Health provision to Bicester PCN practices expansion plans or to health provision on the NW Bicester site to meet the needs of the increased population.	£533,694 index linked BCIS from December 2022  (based upon 530 dwellings and to be adjusted once housing mix is known)	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary</b> – The CCG (now NHS Buckinghamshire, Oxfordshire, Berkshire West Integrated Care Board) have advised that there are insufficient consulting rooms to cope with the increased population growth as a direct result of the increase in dwellings. Therefore, it is necessary for the development to make a contribution towards primary care provision to meet the health needs of residents resulting from the development.</p> <p><b>Directly related</b> – The proposed development would result in increased population that would need to access primary health care provision. As health provision in the area is under considerable pressure, contributions would be required to ensure the increase population can access the services required and would be adjusted once the housing mix is known. The contribution will therefore be directly related to the development proposed.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The requested contribution is based upon the number of dwellings forming part of the development.</p>



			<p>The cost per dwelling is based upon expected occupancy of the development (2.4 persons) as unit sizes are not specified in the application but will be adjusted once the housing mix is known. The requested contribution is therefore directly related to the development.</p>
<p>Neighbourhood policing</p>	<p>£98,449 index linked CPIX from December 2022)  (based upon 530 dwellings)</p>	<p>To be agreed – careful phasing of the payments will be needed to assist with the viability issues</p>	<p><b>Necessary</b> – the increased population resulting from NW Bicester will put increased pressure onto local policing services to police both new and existing communities. Thames Valley Police have anticipated the additional capital infrastructure required to support the future population of the area and this has been used to form a per dwelling contribution.</p> <p><b>Directly related</b> – as the development would result in increased population, it would directly increase pressure on the local police force. The per dwelling contribution to support increased police capacity would therefore be directly related to the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – Thames Valley Police have identified the additional capital infrastructure required and have costed this in order to provide a per dwelling cost. The cost identified is based upon the scale of the development so it is fairly and reasonably related and it is proportionate to the cost of providing additional infrastructure for the local neighbourhood teams.</p>

Community Building Provision	<p>£770,535 index linked BCIS from December 2022</p> <p>(based upon 530 dwellings)</p>	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary</b> – The development of community hall space is necessary to serve the increased population. Policy BSC12 confirms that the Council will encourage the provision of community facilities to enhance the sustainability of communities. The proposal will increase population who will require facilities and therefore it is necessary for the development to contribute towards facilities planned at the site.</p> <p><b>Directly related</b> – The contribution is directly related to the development as it is based upon a cost per dwelling that reflects the costs set out in the Council's SPD which provides capital cost estimates for new community hall space. Community hall space is required on the wider NW Bicester site and so the contribution is directly related to expanding community space to serve the proposed development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – As explained above, the contribution is based upon costs set out in the Council's SPD. As explained within the report, the cost is reduced to take account of the cost of providing a crossing to St Lawrence Church at Caversfield which has the opportunity to be used for community purposes. The contribution is therefore fairly and reasonably related in scale and kind to the proposed development.</p>
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<p>Primary Education</p>	<p>£5,030,076 index linked BCIS All in TPI 327</p>	<p>To be agreed – careful phasing of the payments will be needed to assist with the viability issues</p>	<p><b>Necessary</b> – Gagle Brook Primary school opened in September 2018 to provide primary school capacity for the NW Bicester site and would serve the development. The school was forward-funded as a 1 form entry school by CDC and OCC and is planned for future expansion to 2 forms of entry. As the development would result in additional primary school children, it is necessary for the development to contribute towards additional capacity to meet the demand arising from the development.</p> <p><b>Directly related</b> – The current school size would account for the scale of the Exemplar phase. The pupil generation from this development would therefore be expected to fill Gagle Brook at its current size and contribute towards the need for the school to be expanded. The contribution sought would therefore be directly related to the resulting population from the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The County Council’s costs are based upon the number of primary and nursery pupils expected to be generated which is then used against the cost of the cost of building the Gagle Brook School to give a per pupil cost. The contribution is therefore fairly and reasonably related in scale and kind to the development.</p>
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Secondary Education	£3,360,870 index linked BCIS All in TPI 327	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary</b> – Secondary school provision for the site will be provided for via a new secondary school planned as part of the southern section of the NW Bicester development. The whole allocation requires a new secondary school. The school will be delivered in phases and it is expected that the development will contribute towards the building of the initial 600 place secondary school. As the development would result in additional secondary school children, it is necessary for the development to contribute towards additional capacity to meet the demand arising from the development.</p> <p><b>Directly related</b> – The development would result in additional secondary school children and pupil places would be required for them. The contribution sought would therefore be directly related to the resulting population from the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The County Council's costs are based upon the number of secondary pupils expected to be generated multiplied by the estimated per pupil cost of a new secondary school. The contribution is therefore fairly and reasonably related in scale and kind to the development.</p>
Special Educational Needs	£260,249 index linked BCIS All in TPI 327	To be agreed – careful phasing of the payments will be needed to	<b>Necessary</b> – Government guidance is that Local Authorities should secure developer contributions to special education provision commensurate with the need arising from the development. Approximately

		assist with the viability issues	<p>half of pupils with Education Needs and Disabilities are educated in special schools. Evidence relating to Oxfordshire demonstrates that the County needs more special school places which is intended to be achieved through a mixture of new schools and expansion of existing schools. As the development would result in an increased population, it is necessary for the development to contribute to increased SEN provision.</p> <p><b>Directly related</b> – The development would result in additional secondary school children and pupil places would be required for them. The contribution sought would therefore be directly related to the resulting population from the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – The County Council’s costs are based upon the number of pupils expected to require education at a special school generated by the development multiplied by the estimated per pupil cost of a new secondary school. The contribution is therefore fairly and reasonably related in scale and kind to the development.</p>
Sports Pitches and Maintenance	£1,307,389.78 index linked CPIX from December 2022	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<b>Necessary</b> – The increase in population generate the need for additional outdoor sport capacity. Pitch space is identified within the Masterplan to serve the NW Bicester site and so contributions are sought towards the capital cost of the provision of sports pitches and their ongoing maintenance. Policy

			<p>BSC10 seeks to ensure that proposals for new development contribute to open space, sport and recreation provision commensurate to the need generated by the proposals. The contribution sought is therefore necessary to make the development acceptable.</p> <p><b>Directly related</b> – The contribution is based upon the costs identified in the Council’s Developer Contributions SPD as a per dwelling cost. The development would generate additional population who would create demand for outdoor sport space. As such, the proposed contribution is directly related to the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – As set out, the contribution is based upon the costs set out in the Council’s Developer Contributions SPD as a per dwelling cost. As the contribution sought would be based upon the dwellings proposed, it is fairly and reasonably related in scale and kind to the development.</p>
Burial Ground	£6,520.65 index linked CPIX from December 2022	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary</b> – The existing Bicester cemetery is close to being unable to accommodate further burials. The NW Bicester Masterplan identifies land for a burial ground and in order to ensure there is adequate burial space to meet the needs of the growing community, contributions towards the ability to provide additional burial space are required. The contribution is therefore necessary.</p>

			<p><b>Directly related</b> – The development would result in an increased population, a proportion of which would require burial space. The contribution sought is based upon the costs of providing burial space and is therefore directly related to the development.</p> <p><b>Fairly and reasonably related in scale and kind</b> – A contribution based upon a per dwelling rate has been calculated and therefore the contribution is based upon the number of dwellings proposed. It is therefore fairly and reasonably related to the proposed development.</p>
Landscape and play area provision and ongoing management and maintenance			<p><b>Necessary</b></p> <p><b>Directly related.</b></p> <p><b>Fairly and reasonably related in scale and kind.</b></p>
Community Management Organisation	£306,350.36 index linked CPIX from December 2022	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary</b> – TBC</p> <p><b>Directly related</b> – TBC</p> <p><b>Fairly and reasonably related in scale and kind</b> – TBC</p>
Community Facility Maintenance	£255,426.59 index linked CPIX from December 2022	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary</b> – TBC</p> <p><b>Directly related</b> – TBC</p> <p><b>Fairly and reasonably related in scale and kind</b> – TBC</p>

Bus Provision and infrastructure	£696,118 index linked PRI-X from December 2020	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p> <p><b>Fairly and reasonably related in scale and kind. TBC</b></p>
Pedestrian and cycle infrastructure	£362,465 index linked Baxter from December 2020	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p> <p><b>Fairly and reasonably related in scale and kind. TBC</b></p>
Pedestrian/ cycle bridge	£15,000 (indexation TBC)	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p> <p><b>Fairly and reasonably related in scale and kind. TBC</b></p>
Rights of Way	£50,000 index linked Baxter from July 2021	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p> <p><b>Fairly and reasonably related in scale and kind. TBC</b></p>
Improvements to the junction of Charlotte Avenue and B4100	£47,289 index linked Baxter from December 2020	To be agreed – careful phasing of the payments will be needed to	<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p>



		assist with the viability issues	<b>Fairly and reasonably related in scale and kind.</b> TBC
Improvements to the junction of B4100 and the A4095	£278,330 index linked Baxter from December 2020	TBC	<b>Necessary</b> TBC  <b>Directly related.</b> TBC  <b>Fairly and reasonably related in scale and kind.</b> TBC
Local Road Improvements TBC	£100,000 index linked TBC	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<b>Necessary</b> TBC  <b>Directly related.</b> TBC  <b>Fairly and reasonably related in scale and kind.</b> TBC
Bicester Leisure Centre	£344,635.95 index linked BCIS from December 2022	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<b>Necessary</b> TBC  <b>Directly related.</b> TBC  <b>Fairly and reasonably related in scale and kind.</b> TBC
Strategic Highway contribution	£3,117,646 (Indexation TBC)	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<b>Necessary</b> TBC  <b>Directly related.</b> TBC  <b>Fairly and reasonably related in scale and kind.</b> TBC

S106 Monitoring	CDC - £10,000 OCC - TBC	On completion of the S106	<b>Necessary</b> TBC <b>Directly related.</b> TBC <b>Fairly and reasonably related in scale and kind.</b> TBC
Library Services	£28,073 index linked BCIS TPI 327	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<b>Necessary –</b> <b>Directly related.</b> TBC <b>Fairly and reasonably related in scale and kind.</b> TBC
Secondary School Land Contribution	£299,970 index linked RPIX from November 2020	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<b>Necessary</b> - The proposed secondary school is on land which forms part of a planning application which sits to the south of the site. The County Council therefore expect the development to contribute proportionately towards the cost of the land and it is therefore a necessary contribution.  <b>Directly related</b> – The proposed development will generate additional secondary school pupils and as a new school is required, a land contribution is requested to facilitate this. As such, the contribution sought is directly related to the development.  <b>Fairly and reasonably related in scale and kind.</b> The cost sought is based upon the estimated per pupil cost of land for a new secondary school. This is multiplied by the number of secondary school pupils expected to be generated to give a contribution

			sought. It is therefore fairly and reasonably related in scale and kind.
Household Waste Recycling Centres	£49,799	To be agreed – careful phasing of the payments will be needed to assist with the viability issues	<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p> <p><b>Fairly and reasonably related in scale and kind. TBC</b></p>
Cultural Wellbeing Strategy	Nil		<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p> <p><b>Fairly and reasonably related in scale and kind. TBC</b></p>
Developer Led Monitoring	Nil		<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p> <p><b>Fairly and reasonably related in scale and kind. TBC</b></p>
Skills and Training	Nil		<p><b>Necessary TBC</b></p> <p><b>Directly related. TBC</b></p> <p><b>Fairly and reasonably related in scale and kind. TBC</b></p>
Affordable Housing – within the range of 10-15% with further details delegated to Officers	Nil		<b>Necessary TBC</b>

to resolve working with the Strategic Housing team			<p><b>Directly related.</b> TBC</p> <p><b>Fairly and reasonably related in scale and kind.</b> TBC</p>
Construction standards (or to be covered by Condition)	Nil		<p><b>Necessary</b> TBC</p> <p><b>Directly related.</b> TBC</p> <p><b>Fairly and reasonably related in scale and kind.</b> TBC</p>
Zero Carbon Strategy – to calculate how each phase could contribute towards the true zero carbon standard and use the £576,309 (index linked BCIS from 1Q 2022) could be used to result in additions beyond FHS			<p><b>Necessary</b> TBC</p> <p><b>Directly related.</b> TBC</p> <p><b>Fairly and reasonably related in scale and kind.</b> TBC</p>

## **Agenda item 9**

**22/02647/F**

**Unit 6, Oxford Technology Park, Technology Drive, Kidlington**

### **Additional representations received**

OCC HIGHWAYS - No objection subject to a linking agreement to planning permission 14/02067/OUT and conditions relating to a Construction Traffic Management Plan prior to commencement of development and a Travel Plan condition prior to occupancy.

An updated Hard Landscape Plan (drawing no. 2703-05 rev PL5) has been submitted which demonstrates that EV charging is now to be provided at a level that meets policy requirements (at 25% of all spaces). Therefore, the Highway Authority remove their previous objection on this basis.

The Highway Authority had previously also objected to the proposed use of double decked cycle parking. OCC's recently adopted Parking Standards advise against the use of double decked cycle parking as it can be difficult for all users to raise and lower cycles from the upper rack. The Parking Standards state the following in relation to the type of cycle parking to be provided at new developments:

- Cycling parking is to be provided in a convenient location close to building entrances and bus stop locations. Such provisions are to be covered, lit (where appropriate) and in the style of a Sheffield stand, which are individually installed permanently into the floor material (e.g. not toast-rack style stands bolted to the floor).

- Double decked or vertical cycle parking should not be used unless agreed by OCC in specific circumstances.

It has since been pointed out that double decked cycle parking has been used throughout the wider Oxford Technology Park development and that a precedent has been set for their use on the site. I have also been made aware that the upper racks on the neighbouring units have been used even while spaces are available on the lower level. Therefore it is considered that, in this instance, OCC can agree to the use of double decked cycle parking spaces

### **Officer comments**

As set out in the main report, it is considered that a linking agreement is not necessary to make the development acceptable.

Furthermore, as the development has commenced a pre-commencement condition is not possible and as measures have been implemented, a Construction Traffic Management Plan is not necessary. A Travel Plan condition already forms part of the recommendation.

Officers have written to County Council highways setting out the above.

### **Recommendation**

As per the published agenda report.

## **Agenda item 10**

**22/01683/F**

**Unit 7, Oxford Technology Park, Technology Drive, Kidlington**

### **Additional representations received**

No additional representations.

**Officer comments**

None

**Recommendation**

As per the published agenda report.

**Agenda item 11**

**21/02278/F**

**Oxford Technology Park, Langford Lane, Kidlington**

**Additional representations received**

No additional representations.

**Officer comments**

None

**Recommendation**

As per the published agenda report.

**Agenda item 12**

**22/03224/F**

**Salvation Army, Swan Close Road, Banbury**

**Additional representations received**

No additional representations.

**Officer comments**

None

**Recommendation**

As per the published agenda report.

**Agenda item 13**

**Appeals Progress Report**

No update.