

NWBA - OPENING STATEMENT, 6/6/23 (10 minutes max. duration)

Introduction:

1. My name is Rob Fellows. I have 2 Masters degrees from Cambridge University, and a third from Southampton. I am a Chartered Engineer with the Institute of Engineering and Technology. 21 years ago today, I became a crown servant technologist, rising in 2016 to Principal Consultant, which is the highest non-management grade. I have chaired 2 major cross-government committees on collaboration in AI and machine learning; and I currently sit on a National Data Strategy committee, chaired by Dame Wendy Hall, focussed on knowledge provenance and data accuracy.
2. I am here representing more than a thousand people – local residents and school parents and staff – that make up the North West Bicester Alliance. We came together and created a committee of around 20 people, including 2 lawyers, an ex-planning inspector, current planning committee members, an architect, a land finance expert, and others involved with construction industry finance and management.
3. Prior to both the January and March planning committee meetings, it was our local councillors who contacted my group first, to ask for our help in understanding the technical issues, not the other way around.
4. We requested to be a Rule 6 party in this planning inquiry because we submit that the proposed development of 530 homes, as it currently stands, would have a significant adverse effect on the future of the NW Bicester Ecotown and ramifications far beyond it, and a severe impact on the area caused by traffic congestion.
5. The core dozen members of our team have worked faithfully, constructively and diligently, since the start of the Firethorn application process, and we continue to do so here.
6. After the Case Management Conference, we wrote by email to both the Appellant and LPA, using the same wording as the Planning Inspector, regarding collaboration to narrow the differences. Unfortunately, while we received a promise to do so from the Appellant, to be instigated by them, we had zero further contact to do so. And from the LPA, we were told sorry, we have to work separately, each with the Appellant.
7. The purpose of our involvement is to highlight critical issues, still unanswered, which we submit are crucial to the success of the proposed development and the whole Ecotown.
8. These fall into 3 principle areas:
 - A, Highways and Access, with impacts on traffic congestion, pollution and safety.
 - B, Degradation of Ecotown requirements and principles; and
 - C, the Future Impacts of these Ecotown degradations including impact on Affordable Housing.

A – Highways and Access:

9. During the highways and access topic evidence and cross-examinations, we will focus on two critical aspects regarding the Appellant's proposed road access designs. These render the addition of the 207 proposed homes onto the end of Charlotte Avenue to be technically unsupportable.
10. We will review the errors in the application and appeal drawings, given in our evidence but not rebutted. We also note that these had been raised with OCC Highways before this Appeal, but were ignored.
11. We will draw conclusions regarding severe impacts caused by traffic congestion and pollution, and increased risk to the safety of cyclists and pedestrians, especially pupils travelling to Gagle Brook Primary School. These are, we submit, unavoidable with the current unworkable design.
12. We will then review further errors in the application and appeal drawings, given in our evidence but not rebutted. We submit that there is an access solution which the Appellant could use instead, which would very likely remove all of the highways and access issues we have been highlighting since the first 2021 consultation round.
13. We also note that the evidence by the CDC Highways and Access consultant, Mr Moss, ignores several critical issues raised in objections, discussed at the 9th of March planning committee meeting, and given in our evidence – all related to Reason for Reference 3.
14. Furthermore, in the LPA's Opening Statement, they state that Reason for Refusal #2 is about the trees near the school: it is not, the text states it is about access and safety also.
15. We submit that a set of national and local policies dictate that this option should be used instead. We will conclude that Reasons for Referral #s 2 and 3 are well founded.
16. For these reasons alone, we submit that it would be necessary for this Appeal to be refused. This is because further proper measurements, design and simulations would be required.

B – Ecotown degradations:

17. There are, however, several other areas which we submit should either singularly or collectively lead to the refusal of this Appeal. These are due to the large number of outstanding degradations of the Ecotown requirements that the Appellant's proposals would inherently cause, if the Appeal were allowed.
18. In our evidence documents, we highlighted many examples of where Policy Bicester 1 and the SPD and Masterplan clauses, policies and requirements are being contravened or ignored by the proposals. These same points may arise during the coming days, and in the Closing Statement, we will relate these back to critical policy clauses that speak to the high-level requirements, and the consent or rejection of any NW Bicester Ecotown proposal, based on such changes.
19. First in the order of topics in the coming days is Carbon Reduction. We applaud the recent work between the Appellant and CDC, leading to the proposed condition for a zero carbon policy to be submitted and agreed before each development phase can be started.

20. However, due to the last minute changes to get there, when we go through the policies and evidence, we submit that this is not enough to meet the requirements to give confidence that there is actually a robust strategy in place to deliver it. We will therefore conclude that Reason for Referral #1 is well founded.
21. We will cover Viability at a round table discussion, where we will explore how the recent change in CDC's position regarding Viability has occurred. Most importantly, the round table will allow us to discuss in detail the areas of costs and sales, and explore what would be required to achieve 30% affordable housing as well as true zero carbon, and see if we are still able to reach a level of profit which meets NPPF viability guidance and the Appellant's required profit levels without the need for the viability review mechanism!
22. Based on both of these, we will conclude that Reason for Referral #4 is well founded. Other areas of degradation will be covered in the Planning discussions.

C – Future impacts

23. The future impact issues conclude our 3 key areas of deep concern, and we will come to these briefly at the end of the Closing Statement, though some may appear before then.
24. Chief among these is the impacts of the 'ecotown degradations' on the UK construction industry. It is not just other Bicester Ecotown developers, or other Cherwell District developers, who are watching this Inquiry to see what the Appellant might be able to "get away with" not doing – it is the whole of the UK homebuilding industry.
25. The proposed development this is the Exemplar Ecotown for the United Kingdom, and as noted strongly by members of the Planning Committee on the 9th of March 2023, we cannot afford to "water down" any areas of the Ecotown requirements: we need to preserve them.
26. NW Bicester is the single remaining eco-town from PPS1 and the only 'live laboratory' at scale for the British residential development industry to try, learn and develop solutions in order to meet HM Government's Net Zero 2050 target.
27. We need it to continue to act as a strong "beacon" to try to "pull" the entire UK construction industry in a trajectory heading towards Net Zero 2050 – while still maintaining core non-eco requirements of the Local Plan, such as the proportion of Affordable Housing.
28. We will take heed from the Planning Committee's comments regarding 30% viability; and how the precedent potentially set with the current design proposals risks damaging CDC's affordable housing stock in the medium and long term, if this Appeal is granted.
29. Finally, I would like to reinforce some of our previous written points:
30. We all fully support Policy Bicester 1 of Cherwell's 2015 local plan to build an eco-town of up to 6,000 true zero carbon homes and active travel policies in Northwest Bicester.
31. The North West Bicester Alliance has never wanted to oppose this application: we all want the Ecotown to grow, and to flourish. But to flourish, it must be done properly - in accordance with all the relevant national and specific local policies pertaining to it.
32. Thank you.