

Planning and Development

David Peckford, Assistant Director – Planning and Development



Cherwell

DISTRICT COUNCIL
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Your Ref: **HLM063/nf**

7th October 2021

Dear Nick,

TOWN AND COUNTRY PLANNING ACT 1990

Application No.: 21/03040/SCOP

Applicant's Name: Hallam Land Management Limited

Proposal: Scoping Opinion - Environmental Assessment of a Proposed Mixed-Use Development

Location: OS Parcel 0900 South East of Lower Farm South Of Sewage Works & Bainton Road
Bucknell

Parish(es): Bucknell/ Bicester

I write in response to your Scoping Request submitted to the Local Planning Authority (LPA) on 02 September 2021 accompanied by a letter and scoping report dated 02 September 2021 and August 2021, respectively.

The Scoping Request relates to a large proportion of the land allocated at NW Bicester by Policy Bicester 1 of the adopted Cherwell Local Plan 2011-2031 to the north of the railway line. It also includes land to the north west, beyond the Policy and Masterplan boundary. The Masterplan included within the NW Bicester SPD identifies the land for mixed uses including residential, green infrastructure and non-residential uses including education, commercial/ business, retail and social/ community uses. It is understood that the proposal will be, in summary for a mixed-use development of up to 3,100 dwellings, various non-residential uses, green infrastructure of various types, a solar PV array and other necessary infrastructure including that related to transport and drainage.

The LPA have reviewed the information provided in order to determine the potential of the proposed development to have significant environmental effects and those aspects of the environment likely to be affected. In doing so, the LPA has had regard to the provisions of Regulation 15 of the Town and Country Planning (Environmental Impact Assessment) Regulations 2017 (EIA Regulations 2017) (as amended) as well as the criteria for determining the potential for significant environmental effects as set out in Schedules 3 and 4 of those Regulations.

Regulation 4(2) and Schedule 4 of the Regulations sets out the necessary information required to assess impacts on the environment to be included within an Environmental Statement.

In coming to a view, the LPA has also consulted with the relevant statutory authorities and consultation bodies whose comments, where received, are referred to within this Scoping Opinion and are available in full on the Council's website.

This letter should be taken as the formal Scoping Opinion of the LPA under the EIA Regulations 2017.

General Approach

The general approach to and organisation of the EIA appears to be sound, and it is agreed that it will be necessary to consider cumulative effects on the environment resulting from committed developments in the area within each topic area chapter. The identified sites to be considered in cumulative terms are agreed for this site apart from with respect to Transport, as set out below.

Socio-Economics

It is agreed that this should be scoped into the Environmental Statement.

The approach to the consideration of this topic is noted and agreed.

Transport and Access

It is agreed that this should be scoped into the Environmental Statement.

The proposal to agree the scoping of the Transport Assessment with Oxfordshire County Council is welcomed. National Highways should form part of these discussions.

Oxfordshire County Council have provided detailed comments which are available but to summarise:

- For transport purposes, committed development to be included in the cumulative assessment will need to include permitted non-Local Plan development, which is not currently included in the Bicester Transport Model. This includes the Great Wolf leisure resort at Chesterton. The impact of the proposed Oxfordshire SFRI and logistics proposals at nearby Baynards Green should also be taken into account. This, as well as whether there are any other projects that should be included, should be discussed further with OCC.
- Whilst National Highways seem to have agreed that the potential impacts on J9 and J10 of the M40 could be scoped out of the ES, OCC have advised that before this decision is taken, a proportionate impact assessment should be undertaken. National Highways will expect to consider, through the application, the impact of the development on the Strategic Road Network as it will be important to ensure that it can continue to operate safely and efficiently. It is requested that this matter form part of the discussions to agree the scoping of the Transport Assessment.
- Please note with respect to para 2.19 that the realignment of the A4095 has not commenced.
- OCC refer to the need for the assessment to take into account differences between the proposed location for accesses and those identified by the NW Bicester Masterplan.
- The proposal will need to include connections to the new cycle and pedestrian link already in place to allow connectivity with future development south of the railway. A link to the north will also need to be facilitated (towards application site 21/01630/OUT, over the watercourse).
- In addition to the documents referenced at paragraph 5.8, reference should also be made to LTN1/20 and consideration must also be given to the Bicester Local Cycling and Walking Improvement Plan.
- Reference is made to a 'North West Bicester Transport Model' the model that needs to be used is the Bicester Transport Model.
- Any allowances for innovation, homeworking and behavioural change will need to be made in line with relevant current guidance.
- At 5.25, reference to the IEMA Guidelines is made. Whilst these are the industry standard, they are dated and focus on pedestrian amenity. The amenity of other Non-Motorised Users should additionally be considered.
- The extent of the assessment referred to at paragraph 5.27 should be determined by proportionate impact analysis and agreed with OCC.
- The assessment will need to be undertaken in accordance with the requirements of the DfT Circular 02/2013 Strategic Road Network and the Delivery of Sustainable Development.
- The OCC Education Team have advised that the EIA should consider travel patterns from the development to local schools including during any period between occupations commencing and a new school opening on site. This may be relevant to both the transport and socio-economic topics.

Air Quality

It is agreed that this should be scoped into the Environmental Statement.

The Council's Environmental Protection Team have confirmed that the methodology suggested is agreed.

Noise and Vibration

It is agreed that this should be scoped into the Environmental Statement.

The Council's Environmental Protection Team have confirmed that the methodology suggested is agreed.

Landscape and Visual Effects

It is agreed that this should be scoped into the Environmental Statement.

The Council's Landscape Officer considers that the information contained within Section 8 is comprehensive and therefore the methodology is agreed for this topic.

It is recommended that the LVIA is a tool to test the developing design layout/ revisions to have a directly positive influence on the overall proposed layout where scale and massing have been explored through the use of visualisations and narrative for the benefit of the perception of understanding of consultees and the wider public.

The LVIA should assess direct and indirect effects (e.g. impact of HGV movements during construction) and take account of lighting and cumulative effects with other developments in the area.

Please also note Natural England's response (available via the link provided below), which provides advice on landscape and visual impacts.

An Arboricultural Survey in accordance with BS5837:2012 (Trees in relation to construction) should be carried out to determine the impacts of the development on trees and other mature vegetation. This should also include trees and hedgerows adjacent to the site where mature vegetation might be affected as well as within the application boundary.

Ecology/ Biodiversity

It is agreed that this should be scoped into the Environmental Statement.

Please refer to Annex A of Natural England's response (available via the link provided below), which gives a comprehensive outline of what is required.

Whilst comments have not been received from the Council's Ecologist to this particular scoping request, I can advise the following:

Cumulative impacts with other developments on both species and habitats and an assessment of cumulative impacts on designated and local sites both ecologically and indirectly such as considering increased recreational pressure should be carried out.

The assessment of Biodiversity Net Gain should be carried out using a recognised metric and should show the extent of net gain achievable on site. CDC currently seeks a net gain of at least 10% on all development sites. Information on how this might be fulfilled should also be included within the ES. The biodiversity section should also demonstrate how the development will fit in with the Ecotown in terms of green infrastructure and the overall masterplan within the SPD, such that coherent networks for wildlife are achieved.

The Council is part of a District Licensing scheme relating to Great Crested Newts. You may wish to review the information available here: <https://www.cherwell.gov.uk/info/115/planning-process/650/great-crested-newts-district-licensing-scheme>

You are also advised of the Natural England publication Biodiversity Net Gain Metric 3.0 which was updated on the 7th July 2021.

Historic Environment

It is agreed that this should be scoped into the Environmental Statement.

Historic England have confirmed that the assessment should consider designated heritage assets and their settings in the area around the site. It is agreed that for the purpose of the ES that this should be focussed upon those listed buildings in Caversfield and that the potential impact upon listed buildings within Bucknell can be scoped out of the ES. However, we would expect to see consideration given to the potential impact upon heritage assets within Bucknell addressed by the application, which should be via a separate heritage statement.

Non-designated heritage assets should also be considered since these can make an important contribution to the character and local distinctiveness of an area and its sense of place. In this respect, we would encourage consideration to be given to farmsteads within the NW Bicester site and Caversfield House.

Historic England also advise that the potential impact which associated activities (such as construction, servicing and maintenance and associated traffic) might have upon perceptions, understanding and appreciation of the heritage assets in the area. The assessment should also consider, where appropriate, the likelihood of alterations to drainage patterns that might lead to in situ decomposition or destruction of below ground archaeological remains and deposits and can lead to subsidence of buildings and monuments.

Please note the advice of the Council's Conservation Officer who has highlighted some helpful additional data sources to be provided (i.e. historical mapping), and policy/ guidance to be referred to. Recommendations are also made in respect to using the HIA as a tool to test the developing design layout/ revisions to directly positively influence the proposed layout where scale and massing are explored further (in terms of the parameters at this stage).

The Conservation Officer concludes by advising that the ES should assess the impact of development upon heritage assets and their settings and should aim to negate or minimise harm to the historic environment and setting of the heritage assets. The ES should aim to respond to the local built heritage and natural environment in a contextual way respecting what is significant about the place. Where possible, the interpretation of the significance and history of the site should be made available to the public as part of the proposals.

The OCC Archaeology Team have confirmed that the Cultural Heritage chapter of the ES should be informed by a desk-based assessment undertaken in line with the Chartered Institute for Archaeology standards and guidance including the submission of a written scheme of investigation to ensure that the scope of the assessment has been agreed. Any evaluation of the site (i.e. a geophysical survey) should be included.

Water Resources

It is agreed that this should be scoped into the Environmental Statement.

Thames Water agree that the proposal set out is sufficient to consider the water needs of the development from their perspective.

As mentioned via email correspondence, the Environment Agency have not responded to this scoping request in time to include their advice here. However, the Local Planning Authority is content to agree that this topic as well as ecology/ biodiversity be scoped into the ES and in this respect, the detailed comments from the Environment Agency will be forwarded once received. No comments have been received from Oxfordshire County Council as the Lead Local Flood Authority and any additional comments provided will be sent to you.

Ground Conditions

It is agreed that this should be scoped into the Environmental Statement.

The Council's Environmental Protection Team have confirmed that the methodology suggested is agreed.

Climate Change

It is agreed that this should be scoped into the Environmental Statement.

With regard to the Legislation/ Policy/ Guidance referred to, you are directed to review the document 'Design for Future Climate Change – Adapting Buildings Programme – North West Bicester Eco Development', which was a study carried out by Oxford Brookes University, Hyder (as was), Farrells and Bioregional, which identified the main future risks to be overheating and water stress. This document should be referred to.

As referred to by Natural England, the impact of climate change on the natural environment and how ecological networks will be maintained should be considered. The ES should reflect the principles of the England Biodiversity Strategy, which establishes principles for the consideration of biodiversity and the effects of climate change.

Whilst it is agreed that waste can be scoped out of the Environmental Statement, resource extraction, processing, use and disposal and recycling of materials at the end of life as part of a Circular Economy are significant contributors to climate change. The OCC Waste Management team have advised that these elements should form part of the scope of the assessment of the climate change impact of the development.

Human Health

It is agreed that this should be scoped into the Environmental Statement.

With regard to the Legislation/ Policy/ Guidance referred to, you are also directed to the Oxfordshire Health Impact Assessment Toolkit, which will assist in completing a Health Impact Assessment and in turn this chapter of the ES: <https://futureoxfordshirepartnership.org/projects/oxfordshire-health-impact-assessment-toolkit/>

Matters to be Scoped Out

It is agreed that waste, utilities, vulnerability to risks of major accidents or disasters, lighting (as a standalone chapter), local and microclimate effects, vibration, specified landscape matters (including the Cotswolds AONB and Historic Gardens), ground conditions (specifically statutory or non-statutory sites of geological importance and potential mineral reserves), cultural heritage (specifically relating to a consideration of scheduled monuments, registered parks and listed buildings in Bucknell) can all be scoped out of the Environmental Statement. Where necessary, assessments covering these topics should be submitted with the application. Please note the comments from Consultees who have raised comments that may assist with these assessments.

Notwithstanding the advice of Natural England and based upon the information provided, the Local Planning Authority agree to scope out the consideration of agricultural and soil resources. However please note that this topic should still be considered through a standalone report which formally provides the details of the classification of the agricultural land in 'best and most versatile' terms and which provides details of how any adverse impacts on soils can be minimised. Natural England have provided some helpful advice in their response available via the link below.

I trust this information is of assistance to you in the formulation of an Environmental Statement.

Full details of all comments received to this request can be found in full on the Council's website: <https://planningregister.cherwell.gov.uk/Planning/Display/21/03040/SCOP>

If you have any questions or queries regarding the above, please contact the Case Officer using the details provided above.

Yours faithfully



David Peckford
Assistant Director – Planning and Development

Checked By: Andy Bateson, Team Leader – Major Development