

**Planning, Design and Access Statement for  
Submission of Reserved Matters Application  
pursuant to Outline planning permission  
14/O2121/OUT for infrastructure comprising two  
junctions providing vehicular and pedestrian  
access into the site from Middleton Stoney  
Road and two initial sections of internal road.**

**Phase 1, Himley Village, Bicester**

On behalf of Cala Homes (Cotswolds) Ltd

Date: January 2023 | Pegasus Ref: P22-2886

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## Document Management.

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# 1. Introduction and Background

- 1.1. This Planning Statement is prepared on behalf of Cala Homes (Cotswolds) Ltd (“the Applicant”) in support of an application for the approval of Reserved Matters for Phase 1 at Himley Village, Bicester pursuant to Outline planning permission 14/O2121/OUT. The application is described as follows:

*“Reserved Matters Application pursuant to Outline planning permission 14/O2121/OUT for infrastructure comprising two junctions providing vehicular and pedestrian access into the site from Middleton Stoney Road and two initial sections of internal road”.*

- 1.2. The Outline planning permission relates to a development of:

- Up to 1,700 residential dwellings
- A retirement village
- Flexible commercial floorspace
- Social and community facilities
- Energy Centre
- Primary School

- 1.3. The permission was granted in Outline only, with access, appearance, landscaping, layout and scale all being matters reserved for future determination.

- 1.4. The Outline planning permission was granted on 30<sup>th</sup> January 2020 and established the principle of the proposed development in this location. The permission requires the development to be carried out in accordance with a number of approved parameter plans which are listed below together with all other approved plans:

- Site Boundary Parameter Plan 1 (drawing number 592-PL-101 Rev B)
- Demolitions Parameter Plan 2 (drawing number 592-PL-102 Rev B)
- Landscape Parameter Plan 3 (drawing number 592-PL-106 Rev H)
- Land Use Parameter Plan 4 (drawing number 592-PL-103 Rev K)
- Building Heights Parameter Plan 5 (drawing number 592-PL-104 Rev H)
- Density Parameter Plan 6 (drawing number 592-PL-105 Rev H)
- Movement and Access Parameter Plan (drawing number 1665/75/04)
- SUDs Parameter Plan (drawing number 1665/75/05 Rev B)
- Document titled ‘Storage Attenuation Volumes of Primary Swales (1665/76) dated July 2015



- Tree Survey Report – document reference EED14995-100-R-7-1-3-TA dated January 2015 and accompanying appendices
- Sustainability and Energy Statement – document reference PENL2003 dated 17 December 2004
- Surface Water Drainage Strategy and Flood Risk Assessment dated December 2014 and all additional correspondence relating to Drainage and Flood Risk

- 1.5. The permission was also subject to a number of conditions which require the submission of further information at various stages of the planning process. A number of these conditions have since been amended through Non Material Amendment (NMA) applications which must be read alongside the original planning permission. As will be discussed below, these are highly relevant to the current submission.
- 1.6. In addition to this Planning Statement, the Reserved Matters (RM) Application is supported by a range of reports and drawings, which reflect the details required by conditions attached to the Outline planning permission (as amended). The requirements for the application have recently changed and will be discussed in detail within the 'Planning History' and 'Proposal' sections below.
- 1.7. Conditions 7, 10 and 11 of the Outline planning permission are required to be discharged alongside the application for approval of Reserved Matters for the First Phase of development and a Construction Environmental Management Plan has been prepared in order to discharge Conditions 20 and 30. As such a Discharge of Condition application has been made alongside this Reserved Matters Application which relates to the following:-:
- Phasing Plan (Condition 7)
  - Biodiversity Strategy (Condition 10)
  - Surface Water Drainage Scheme (Condition 11)
  - Carbon Emissions (Condition 20)
  - Construction Method Statement (Condition 30)
- 1.8. The content of the application has been the subject of pre application discussions. The purpose of this Planning Statement is to introduce the proposals in the context of the Outline consent (and subsequent approved amendments) and relevant planning policy in order to demonstrate how the development accords with the principles of the Outline permission and complies with the relevant policy.

## 2. The Site Description and Location

- 2.1. The Site that was subject to the Outline planning permission comprises approximately 24ha of agricultural land to the north of the B4030 Middleton Stoney Road. It is located to the west of Bicester and forms part of the wider North West Bicester eco-town area. The Site is bounded by agricultural land to the north and west, and commercial development on the edge of Bicester to the east.
- 2.2. The Site is located with Cherwell District Council's jurisdiction and is allocated for development as part of Policy Bicester 1 (North West Bicester Eco-Town) in the Adopted Cherwell Local Plan 2011-2031 Part 1 (July 2015). The Site subject to the Outline consent (known as "Himley Village") forms only part of the wider allocation which extends further north of the Site to the north west of the existing settlement boundary of Bicester.
- 2.3. The site for this First Phase Reserved Matters Application forms part of the Site that benefits from Outline planning permission (14/02121/OUT) and comprises land required for the two access points from the Middleton Stoney Road (B4030) and the initial sections of internal road into the Site.
- 2.4. Part of the Site includes a section of the Primary Road included on the Land Use Parameter Plan (ref. 592-PL-103 Rev K) approved under the Outline consent, which will lead out of the Site to the north, and the Site would border areas approved for residential (both C2 and C3 Uses) and commercial purposes under that plan.
- 2.5. At present, the Site is an open area of arable land separated by linked hedgerows and characterised by gentle undulating slopes. Whilst the nearest bus stop is located approximately 0.6 miles to the east, there will be new bus services provided as part of the comprehensive development of the area. Bicester Village Railway Station is located approximately 2 miles from the application site which provides services to a number of destinations including London Marylebone, Oxford and High Wycombe. The closest primary school is Kings Meadow Primary School located approximately 700m to the north east, however a new primary school has been approved as part of the Outline consent for Himley Village.
- 2.6. The Site is not within the Green Belt and is not subject to any other restrictive planning designations. It is not within a Conservation Area and does not contain any listed buildings, nor any above-ground structures.

### 3. Planning History

- 3.1. Application **14/02121/OUT** was originally registered on 31<sup>st</sup> December 2014 and comprised an Outline planning application for the following proposal:

*“Development to provide up to 1,700 residential dwellings (Class C3) a retirement village (Class C2), flexible commercial floorspace (Classes A1, A2, A3, A4, A5, B1, C1 and D1), social and community facilities (Class D1), land to accommodate one energy centre and land to accommodate one new primary school (up to 2FE) (Class D1). Such development to include provision of strategic landscape, provision of new vehicular, cycle and pedestrian access routes, infrastructure and other operations (including demolition of farm buildings on Middleton Stoney Road).”*

- 3.2. The application was for Outline planning permission only, with all matters (access, appearance, landscaping, layout and scale) reserved for future determination. The application was accompanied by a comprehensive suite of technical documents in order to demonstrate how the development complied with relevant Development Plan Policy as well as National Policy.
- 3.3. In October 2019, Cherwell District Council’s Planning Committee resolved to grant Outline planning permission for the development and following the completion of a Section 106 Agreement to secure various planning obligations, the planning permission was issued on 30<sup>th</sup> January 2020.
- 3.4. The planning permission was subject to 53 conditions and the wording of some, as will be discussed below, has since been amended. The conditions were arranged into sections subject to various triggers for compliance, which under the original consent included ‘Conditions required to be complied with prior to the submission of Reserved Matters’, ‘Conditions requiring information to be submitted with Reserved Matters’ and ‘Pre-Commencement Conditions’ together with conditions requiring approval or compliance before specific works take place, or occupation. The permission included conditions regarding time limits, implementation and ongoing regulatory conditions.
- 3.5. Since the permission was granted, two applications for Non-Material Amendments concerning the wording of certain conditions have been approved. Firstly application **22/02375/NMA** amended the trigger for Conditions 7-11. As originally approved, these conditions required submissions to be made and approved prior to the submission of the first Reserved Matters Application.
- 3.6. The wording of these conditions has now been amended to read ‘Prior to or alongside’ the submission for the first Reserved Matters Application, meaning that none of these elements now require approval prior to a reserved matters application being submitted, but as approved under this Non-Material Amendment, would need be submitted for discharge at the same time as the first application for Reserved Matters approval.
- 3.7. More recently, application **22/03492/NMA** amended the wording of Conditions 2, 4, 7, 8, 9, 10, 11, 13, 14, 18 and 36. The effect of this was to remove the requirement for the First Phase Reserved Matters Application to be a ‘residential’ application, as was originally required by Condition 2. It also amended the requirement to tie commencement of the development to



the 'First Phase' rather than the 'First Residential Phase' as was originally required by Condition 4.

- 3.8. In respect of the remaining conditions, this approval amended the timing of the submission of the details required to discharge these, so that certain elements would only be required by the submission of an application including the construction of new buildings and would therefore not be a requirement of an 'infrastructure only' application. It also gave provision for the Phasing Plan required by Condition 7 to evolve and be varied via a further submission if this was required.
- 3.9. Of initial relevance is Condition 2 which (as amended) requires the application for the First Phase of the development to be submitted no later than the expiration of three years from the date of the Outline permission. The requirement therefore is for the submission of the First Phase to be made by 30<sup>th</sup> January 2023. The application that is the subject of this Planning Statement is submitted in advance of this date in order to comply with this requirement.
- 3.10. As will be detailed in the section below, there are a number of conditions relevant to the proposals however, the approval of **22/O3492/NMA** means that as the application does not need to be for a Residential Phase, a Site Wide Masterplan and Design Code as originally required by Condition 8 is not a requirement, nor are the original requirements of Conditions 13, 14, 18 and 36.
- 3.11. Finally, the completed Section 106 Agreement that sits alongside the Outline planning permission contains a number of obligations, some of which are relevant to Reserved Matters Applications. Schedule 12 required the submission of a Cultural Wellbeing Statement with the first Reserved Matters Application and Schedule 14 requires a Green Space Framework. These matters are addressed further below.



## 4. Development Proposals

- 4.1. This application seeks Reserved Matters Approval for the two main points of access into the Site from the Middleton Stoney Road (B4030) and two initial sections of internal road. The proposals comprise the 'First Phase' of the development approved under **14/O2121/OUT** which, in accordance with the Non-Material Amendments made to that permission, can now be for infrastructure only and does not need to include any residential development.
- 4.2. The principle of the two access points was established by the approval of the Outline application which approved a Movement and Access Parameter Plan (ref. 1665/75/04) with two points of access onto the Middleton Stoney Road (B4030). The western access point is to provide access which will in time, lead to a Primary Street and will then pass through the site and provide access to land to the north. The eastern access point is shown as a secondary vehicle access point and will lead to the internal roads serving the development and is in a similar location to an existing access serving Himley Farm.
- 4.3. Although not approved plans, the completed Section 106 Agreement included drawings to show what was expected and agreed for the access junctions. These have been carried forward in respect of the proposals.
- 4.4. To an extent, the conditions of approval **14/O2121/OUT** set out the requirements for Reserved Matters Applications. **Condition 7** requires the submission of a Phasing Plan alongside any application for Reserved Matters for the First Phase of development. Similarly **Condition 10** and **Condition 11** require a Reserved Matters Application for Phase 1 to include a Biodiversity Strategy and a full Surface Water Drainage Scheme for the Site. As required, a submission for discharge of these conditions is made alongside this Reserved Matters Application.
- 4.5. Various other conditions also reference requirements for Reserved Matters submissions. **Condition 12** requires submissions for built development to be accompanied by details showing how Building for Life 12 has been used to inform the design process. Whilst this condition would need to be met in an application for dwellings or other buildings, as this application is for access points and internal roads only it is not considered that a relevant submission could be made with this application. Similarly, **Condition 15** is only relevant to a submission including the energy centre or mechanical plant. **Conditions 13 and 14** have been amended so that they are only now relevant for an application involving the construction of new buildings.
- 4.6. Due to the nature of the proposals, **Condition 16** is a key condition for this Reserved Matters submission. This requires details of means of access including position, layout, construction, drainage and vision splays. This detail is set out on the following plans that are submitted in support of the application:
- Spine Road Junction 27141-HYD-XX-XX-DR-D-0001-P01
  - Secondary Road Junction 27141-HYD-XX-XX-DR-D-0002-P02
  - Spine Road Swept Paths 1 27141-HYD-XX-XX-DR-0003-P01
  - Spine Road Swept Paths 2 27141-HYD-XX-XX-DR-0004-P01



- Secondary Road Swept Paths 27141-HYD-XX-XX-DR-0005-PO1

- 4.7. The location of these access points has been carried forward from the Site Access Drawings that were contained within the Section 106 Agreement for the Outline Planning Permission.
- 4.8. **Condition 17** contains a requirement for means of footway and cycleway access. The plans ensure that this is not prejudiced however the sections of road do not extend far enough into the site for any such detail to be meaningful at this stage. **Condition 18** has been amended so it is only now relevant for an application involving the construction of new buildings.
- 4.9. **Condition 19** requires surface water drainage information specific to a phase. The application is accompanied by a Site Access Drainage Strategy for Phase 1 in order to address this condition.
- 4.10. There are no other conditions that require information to be submitted as part of a Reserved Matters Application, however as the accesses will require the removal of trees an Arboricultural Impact Assessment and Tree Protection Plan are submitted, which also respond to the requirements of Condition 27. Furthermore, there are Section 106 Agreement requirements for Reserved Matters Applications which are discussed below.
- 4.11. Finally, it is confirmed that this Reserved Matters Application for two access points and two sections of internal road is in compliance with the Environmental Impact Assessment (EIA) submitted in support of the Outline Planning permission. The EIA tested the approved Parameter Plans listed in Paragraph 1.4 above and this Reserved Matters Application accords with those plans.

## 5. The Planning Policy Framework

5.1. This section identifies the relevant National Planning Policy Guidance and Development Plan policies within which this Reserved Matters Application should be considered. It deals with the following tiers of policy and guidance:

- The Development Plan
- National Planning Policy Framework
- Planning Practice Guidance
- Emerging Development Plan Documents
- Supplementary Planning Documents

### The Development Plan

5.2. Section 38(6) of the Planning and Compulsory Purchase Act requires that applications for planning permission be determined in accordance with the Development Plan unless material considerations indicate otherwise. At the time of writing the Statutory Development Plan covering the application Site comprises:

- The Cherwell Local Plan 2011-2031 Part 1 (December 2016)
- Saved Policies of the Cherwell Local Plan 1996 (November 1996)

### Cherwell Local Plan 2011-2031 Part 1

5.3. **Policy Bicester 1 (North-West Bicester Eco-Town)** allocates a 390ha area, of which the Site subject to the Outline consent is a part, for a new zero carbon mixed use development including 6,000 homes. The policy sets out the Council's requirements for employment, housing and infrastructure needs across the allocation together with a number of 'key site specific design and place shaping principles'.

5.4. The majority of the considerations set by these principles will be more relevant for future Reserved Matters Applications concerning the residential and other uses and facilities approved under the Outline consent. The proposed development relates only to a small part of the Site including two access points and two sections of internal road therefore the following principles are considered relevant in this instance:

- High quality exemplary development and design standards including zero carbon development, the use of low embodied carbon in construction materials, as well as promoting the use of locally sourced materials.
- Layout of development that enables a high degree of integration and connectivity between new and existing communities.

- Maximisation of the sustainable transport connectivity in and around the Site.
- Good accessibility to public transport services should be provided for, including the provision of a bus route through the Site with buses stopping at the local railway stations and at new bus stops on the Site.
- Provision of sustainable drainage in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) taking account of the recommendations of the Council's Strategic Flood Risk Assessment.

- 5.5. This policy, along with the subsequent Outline planning approval, established the principle of the development which included the provision of new vehicular access routes and sets the core local policy context for assessing Reserved Matters proposals.
- 5.6. **Policy SLE 4 (Improved Transport and Connections)** states that development which is not suitable for the roads that serve the development and have a severe traffic impact will not be supported.
- 5.7. **Policy ESD 1 (Mitigating and Adapting to Climate Change)** states that measures will be taken to mitigate the impact of development within the District on climate change. The policy outlines measures in new development to ensure that it is resilient to climate change impacts, which include minimising the risk of flooding and making use of sustainable drainage methods.
- 5.8. **Policy ESD 6 (Sustainable Flood Risk Management)** states that developments should be safe and remain operational and proposals should demonstrate that surface water will be managed effectively on site and that development will not increase flood risk elsewhere, including sewer flooding.
- 5.9. **Policy ESD 7 (Sustainable Drainage Systems)** requires all development to use sustainable drainage systems for the management of surface water run-off. In considering SuDS solutions, the need to protect ground water quality must be taken into account, especially where infiltration techniques are proposed. Where possible, SuDS should seek to reduce flood risk, reduce pollution and provide landscape and wildlife benefits.
- 5.10. **Policy ESD 10 (Protection and Enhancement of Biodiversity and the Natural Environment)** states that in considering proposals for development, a net gain in biodiversity will be sought by protecting, enhancing and extending existing resources, and by creating new resources. The protection of trees will be encouraged, with an aim to increase the number of trees in the District.
- 5.11. **Policy ESD 17 (Green Infrastructure)** states that the District's green infrastructure network will be maintained and enhanced. All strategic development sites will be required to incorporate green infrastructure provision and proposals should include details for future management and maintenance.

Saved Policies of the Cherwell Local Plan 1996

- 5.12. Some Saved Policies of the Local Plan remain part of the Development Plan and consist of those saved by the Secretary of State in 2007 and not replaced by policies within the Cherwell Local Plan 2011–2031. Only one policy is considered to have relevance to the proposals:
- 5.13. **Policy C28 (Layout, design and external appearance of new development)** states that control will be exercised over all new development to ensure that standards of layout, design and external appearance including the choice of materials, are sympathetic to the character of the urban or rural context of that development.

National Planning Policy Framework, 2021 (NPPF)

- 5.14. The NPPF sets out that planning law requires applications for planning permission to be determined in accordance with the Development Plan unless material considerations indicate otherwise. The NPPF is a material consideration in all planning applications.
- 5.15. As the principle of development has been established both via Policy Bicester 1, the SPD and the subsequent Outline planning permission, the parameters of this adopted and approved framework are considered more important in assessing the proposals than the NPPF, which as a national document is less specific. Nonetheless, the following paragraphs are considered relevant to the proposals.

*Achieving Sustainable Development*

- 5.16. **Paragraph 7** emphasises that the purpose of the planning system is to contribute to the achievement of sustainable development.
- 5.17. **Paragraph 8** explains that there are three overarching objectives to sustainable development, namely economic, social and environmental objectives, and that these are interdependence and need to be pursued in mutually supporting ways.

*The Presumption in favour of Sustainable Development*

- 5.18. **Paragraph 11** set out the presumption in favour of sustainable development. As the application involves infrastructure within an allocated site with Outline planning permission, the principle of development has been established and the proposal accords with the sustainable development principles of the NPPF.

*Decision Making*

- 5.19. **Paragraph 38** state that local planning authorities should approach decisions on proposed development in a positive and creative way. They should work proactively with applicants to secure developments that will improve the economic, social and environmental conditions of the area. Decision makers at every level should seek to approve applications for sustainable development where possible.

*Promoting Healthy and Safe Communities*

- 5.20. **Paragraph 92** sets out that planning decisions should aim to achieve healthy, inclusive and safe places which promote social interaction, including opportunities for meetings between people who might not otherwise come into contact with each other, and are safe and accessible.

*Promoting Sustainable Transport*

- 5.21. **Paragraph 110** states that in assessing sites that may be allocated for development, it should be ensured that appropriate opportunities to promote sustainable transport modes can be taken up, safe and suitable access to the site can be achieved for all users, the design of streets and parking areas reflect current national guidance, and any significant impacts on the transport network can effectively be mitigated.
- 5.22. **Paragraph 111** confirms that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.
- 5.23. In accordance with the NPPF, transport impacts on the wider network and the sustainability of the site in transport terms were assessed when allocating land for development and approving the Outline planning permission. The detail, including access design, is assessed below.

*Achieving well-designed places*

- 5.24. **Paragraph 126** highlights that good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

*Conserving and enhancing the natural environment*

- 5.25. **Paragraph 174** sets out how planning decisions should contribute to and enhance the natural and local environment, including by protecting sites of biodiversity value, and by minimising impacts on and providing net gains for biodiversity.

*Planning Practice Guidance (PPG)*

- 5.26. PPG confirms at Paragraph 34, Reference ID 14-034-20140306 that applications for Outline planning permission must indicate the area or areas where access points to the development will be situated, even if access has been reserved. This was the case in respect of application **14/O2121/OUT**, and access points were indicated under the approved Movement and Access Parameter Plan (ref. 1665/75/04).
- 5.27. Paragraph 006, Reference ID 14-006-20140306 sets out that Reserved Matters are those aspects of a proposed development which an applicant can chose not to submit details of with an Outline planning application (i.e., they can be 'reserved' for later determination). These are defined as:

- 'Access' – the accessibility to and within the site, for vehicles, cycles and pedestrians in terms of the positioning and treatment of access and circulation routes and how these fit into the surrounding road network.
- 'Appearance' – the aspects of a building or place within the development which determine the visual impression the building or place makes, including the external built form of the development, its architecture, materials, decoration, lighting, colour and texture.
- 'Landscaping' – the treatment of land (other than buildings) for the purpose of enhancing or protecting the amenities of the site and the area in which it is situated and includes: (a) screening by fences, walls or other means; (b) the planning of trees, hedges, shrubs or grass; (c) the formation of banks, terraces or other earthworks; (d) the laying out or provision of gardens, courts, squares, water features, sculpture or public area; and (e) the provision of other amenity features.
- 'Layout' – the way in which buildings, routes and open spaces within the development are provided, situated and orientated in relation to each other and to buildings and spaces outside the development.
- 'Scale' – the height, width and length of each building proposed within the development in relation to its surroundings.

#### Emerging Development Plan Documents

- 5.28. The Council have begun consulting on Options for the Cherwell Local Plan 2040 however, this is at a very early stage and it not yet at the point where it should be given any weight in the consideration of planning applications.

#### Supplementary Planning Documents

##### *North West Bicester SPD*

- 5.29. The North West Bicester SPD was adopted in February 2016 and expands upon Policy Bicester 1 by providing further detail to the policy and a means of implementing the strategic allocation. The SPD includes a masterplan for the allocation, key development principles and requirements for the site, design and place shaping principles and the key requirements which should be met at the detailed planning application stage and beyond to achieve a comprehensive scheme and consistent approaches to quality and delivery.
- 5.30. **Development Principle 1 (Masterplanning and comprehensive development)** states that in order to ensure a comprehensive development, all planning applications will be required to be in accordance with the SPD masterplan.
- 5.31. **Development Principle 6 (Transport, Movement and Access)** assigns a higher priority to pedestrians and cyclists, setting out an approach to residential streets that recognises their role in creating places that work for all members of the community. Development should have a robust urban structure, with a network of well-designed, connected spaces

and routes that prioritise the movement of pedestrians, cyclists and public transport. Streets will form a major element of the public realm which will 'stitch' the site together.

- 5.32. Development proposals must show an understanding of existing routes and provide a considered response that enhances existing access and connections and seeks to improve/remove barriers to movement on and off site. It is essential that accessibility of the overall development internally and externally is designed to a high standard with attractive, direct and overlooked routes. Such routes will be expected to be designed to an adoptable standard. It is crucial that proposed developments integrate fully with existing developments and communities in Bicester by making new connections, while improving existing ones.
- 5.33. The masterplan sets out a framework for movement and access within the Site and includes a street hierarchy and indicative layout of Primary Streets. The Primary Road layout within the Site provides access to the strategic road network.
- 5.34. **Development Requirement 6 (Transport, Movement and Access)** sets the key considerations for movement to be addressed in planning applications, which include generating activity and connectivity.
- 5.35. **Development Requirement 9 (Green Infrastructure and landscape)** states that planning applications should demonstrate a range of types of green space, for example wetland areas and public space.
- 5.36. **Development Requirement 9a (Tree planting)** states that planning applications should allocated appropriate space for the root and crown development of trees.
- 5.37. **Development Requirement 9e (Biodiversity)** states that biodiversity mitigation and enhancement should be incorporated into development proposals to provide a net biodiversity gain.
- 5.38. **Development Requirement 11 (Flood Risk Management)** states that planning applications should demonstrate that the proposed development will not increase flood risk on or off the site.



## 6. Assessment

- 6.1. This section provides an assessment of the proposals against the parameters of the Outline planning permission, the Planning Policy requirements for the Site, and other Material Considerations.
- 6.2. The Outline planning permission is considered to be the starting point for the assessment of Reserved Matters Applications at Himley Village. Therefore, this section will firstly review the consistency of this application with the parameters of this permission before assessing the proposals against the broader policy requirements of the Development Plan and other Material Considerations.

### Consistency with the parameters of permission 14/O2121/OUT

- 6.3. The approval of this application established the principle of a comprehensive development of up to 1,700 dwellings together with commercial floorspace, social and community facilities, a school and an energy centre. Whilst points of access from the Middleton Stoney Road (B4030) were indicated on the approved Movement and Access Parameter Plan (ref. 1665/75/O4), access was reserved and therefore the detail would need to be subject to a subsequent Reserved Matters Application.
- 6.4. A number of Parameter Plans were approved as part of the Outline planning permission that are listed at Paragraph 4 above. These were prepared to reflect the North West Bicester SPD and Policy Bicester 1. The purpose of the masterplan within the SPD is to ensure that the Site is developed in a comprehensive manner and is a material consideration of all planning applications within the SPD area. The Parameter Plans therefore represent an approved framework for Reserved Matters Applications to sit within. In respect of these plans:
- The **Site Boundary Parameter Plan 1 (592-PL-101 Rev B)** defines the boundary of the Site subject to the Outline planning permission, which Reserved Matters Applications have to sit within. As is required, the application Site for the Reserved Matters Application sits within this boundary.
  - The **Demolitions Parameter Plan 2 (592-PL-102 Rev B)** sets out two buildings within the Site's boundary that are required to be demolished in order to implement the Outline planning permission. Neither are in the red line of this Reserved Matters Application.
  - The **Landscape Parameter Plan 3 (592-PL-106 rev H)** set out the site wide landscaping proposals including areas of woodlands, hedgerows, public green space and sports fields. The proposals do not include and landscaping and as such this is not relevant to the Reserved Matters Application.
  - The **Land Use Parameter Plan 4 (592-PL-103 Rev K)** sets out locations for various land uses within the Site. The western access point shows the Primary Road, with no defined use at the eastern access point. The proposals therefore comply with this plan.

- The **Building Heights Parameter Plan (592-PL-104 Rev H)** and the **Density Parameter Plan (592-PL-105 Rev H)** are related to new buildings on the wider Site, and as such it is not relevant to an infrastructure only application.
- The **Movement and Access Parameter Plan (1665/75/04)** identified the Middleton Stoney Road (B4030) as an existing road outside of the Site, with Primary and Secondary Streets within the Site. The Primary Street has a point of access onto the Middleton Stoney Road in the same location as the western access that is the subject of this application. A 'Secondary Vehicle Access Point' is identified in the location of the eastern access. The proposed development is therefore in compliance with this Parameter Plan.
- The **SUDs Parameter Plan (1665/75/05 Rev B)** identifies the locations of swales within the Site. These include the two sections of internal road proposed under this application. The accompanying Drainage Strategy for Phase 1 confirms that a simple gully/pipe network would be appropriate for the works proposed.

6.5. The Outline planning permission also imposed a number of conditions which all Reserved Matters Applications need to be consistent with. The Applicant has addressed these as follows:

- **Condition 7, 10 and 11** as explained above, are required to be discharged alongside the application for approval of Reserved Matters for the First Phase, and as such a concurrent application for Discharge of Conditions is submitted.
- **Condition 12** requires "each Reserved Matters submission for built development' to be accompanied by details showing how Building for Life 12 has been used to inform the design process and that the scheme achieves Built for Life. Whilst the construction of two access points and two sections of road is, technically speaking, 'built development', it is not considered that this is a relevant requirement to the development proposed. Condition 12 will be addressed through future Reserved Matters Applications for dwellinghouses and other buildings, as required.
- **Condition 16** requires Reserved Matters Applications for a Phase to include full details of the means of vehicular access between land and the highway, including position, layout, construction, drainage and vision splays for development. With regards the two access points onto Middleton Stoney Road the access drawings submitted in support of this application contain the detail required by Condition 16. The location of these access points has been carried forward from the Site Access Drawings that were contained within the Section 106 Agreement for the Outline Planning Permission.
- **Condition 17** requires full details of the means of footway and cycleway links between the land, the local highway network and adjacent parcels including position, layout, construction, drainage, street lighting and a timetable for their provision for that phase. As set out above, the submitted plans ensure that this is not prejudiced however the sections of road do not extend far enough into the site for any such detail to be meaningful at this stage
- **Condition 19** requires each reserved matters application for a phase to be accompanied by a surface water drainage scheme for that phase. The Phase 1 Access Drainage Strategy is submitted in order to address this condition.

- 6.6. In addition, although not technically required by the conditions of the Outline planning permission, it is considered that a Phase specific Arboricultural Method Statement should address the arboricultural impacts of the proposal,, along with a Tree Protection Plan. This details the trees and hedgerows that are required to be removed in order to facilitate access to the development, and the protection of the retained areas.
- 6.7. As set out above, a CEMP is submitted as part of the concurrent Discharge of Conditions Application in order to address Conditions 20 and 30 of the Outline Planning Permission.
- 6.8. All other conditions either now relate to applications concerning the submission of a Reserved Matters Application for new buildings, and as such are not required to be addressed by an 'infrastructure only' application, or the refer to information required prior to the commencement or occupation of development and as such do not need to be addressed in order to validate a Reserved Matters Application.
- 6.9. The requirements of the conditions of the Outline planning permission that relate to the submission of Reserved Matters Applications – as amended by the approval of two Non-Material Amendment applications – have therefore been satisfied insofar as the provision of the additional information being submitted for approval is concerned.
- 6.10. Finally, whilst not validation requirements, the completed Section 106 Agreement contained two requirements for Reserved Matters Applications: a Cultural Wellbeing Statement and a Green Space Framework.
- 6.11. In respect of the Cultural Wellbeing Statement, the Section 106 Agreement sets out that this is aimed at achieving high quality distinctive design of buildings, community engagement and public art. None of these elements are relevant to an infrastructure only application and as such it is considered appropriate that this is secured via forthcoming Reserved Matters Applications for buildings.
- 6.12. With regards the Green Space Framework, again this is an infrastructure only application and it does not contain any green spaces. Such a Framework will be part of the wider site wide Masterplan and Design Code which is required to be submitted along with the first Reserved Matters Application that includes buildings and as such it will be appropriate for such a Framework to accompany that application.

*Development Plan Policy and other Material Considerations*

- 6.13. The policies that are considered to relate to the development within the Cherwell Local Plan Part 1 are set out above. Of these Policy Bicester 1 is the core local policy for assessing development proposals. However as set out above, the majority of the considerations set by these principles will be more relevant for future Reserved Matters Applications concerning residential and other uses and facilities approved under the Outline consent.
- 6.14. However, in respect of the relevant points of the policy referenced:
- Whilst design standards and low carbon construction materials are less relevant for roads, the development would promote zero carbon development through the provision of footway and cycle links into the development from the Middleton Stoney Road in addition to the vehicular access. The western access is a key link into the Site as it would form the start of the Primary Route through the Site, linking to further development sites beyond.

- Similarly, the provision of these access links is necessary to ensure the development provides a high degree of integration and connectivity between new and existing communities, and to ensure the maximisation of transport connectivity in and around the Site.
- The Primary Road which will be served by the western access will contain a bus route, therefore the provision of this access is key to ensuring that good accessibility to public transport routes is provided for the wider development.
- As highlighted, the provision of surface water drainage for the phase will be provided in accordance with Condition 19 of the Outline planning permission,

- 6.15. The proposed development, along with elements approved under the Outline planning permission has been shown to be in full accordance with the relevant provisions of Policy Bicester 1.
- 6.16. In respect of the other relevant Development Plan Policies, these are matters that have already been covered through compliance with the relevant Conditions. With reference to these, the highways requirements of Condition 16 ensure that the development complies with Policy SLE 4, and the Biodiversity Strategy required by Condition 10 along with the CEMP and arboricultural information submitted ensure that the development complies with Policies ESD 10 and ESD 17.
- 6.17. Drainage information has been submitted as required by Conditions 11 and 19, which accords with the requirements of Policies ESD 1, ESD 6, and ESD 7.
- 6.18. With regards Saved Policy C28 of the 1996 Local Plan, the provision of accesses and roads in this location will be sympathetic to the character and context of the development in that although the character of the area at present is rural, the Site allocated for and is subject to an Outline planning permission for comprehensive residential development. As such, the character of the area will undoubtedly change over time and the formation of access points and roads will be entirely in keeping with the future character of the area.
- 6.19. It is considered that the relevant Paragraphs of the NPPF are consistent with the Development Plan in the context of this proposal. The proposals are in accordance with the NPPG in that access points were indicated via a Parameter Plan on the Outline planning permission although access was a Reserved Matter, this detail is now submitted as part of a Reserved Matters Application. The proposals are therefore in accordance with National Guidance.
- 6.20. The North West Bicester SPD includes a masterplan, which the proposals comply with in so far as they are proposing access points in the positions indicated. In complying with the relevant conditions of the Outline consent and relevant Development Plan Policies, the development also complies with the relevant principles of the SPD. The access points and detail proposed have been carried forward from those agreed at the Outline stage via the Section 106 Agreement.
- 6.21. Early approval of Phase 1 is important to enable a start on Site and create the main access points into the development, and the extent of the First Phase was agreed with Cherwell District Council in pre application discussions. The extent of the application has been kept to a minimum in order to achieve this but without prejudicing future decisions about the form and layout of development in the adjoining development parcels.



- 6.22. The Applicant will in parallel with this application be engaging with Cherwell District Council on the Site Wide Masterplan and Design Code with the view to bringing the first residential parcels forward shortly, in line with an agreed strategy for the wider Site.

## 7. Conclusion

- 7.1. The proposed development is for an infrastructure only Reserved Matters Application comprising two points of access and two sections of internal road. This meets the requirements of Condition 2 of Outline planning permission **14/O2121/OUT** (as amended by Non-Material Amendment **22/O3492/NMA**) which requires a Reserved Matters Application for approval for the First Phase of development to be made not later than the expiration of three years from the date of the Outline planning permission, which requires this application to be made by 30<sup>th</sup> January 2023.
- 7.2. The proposals contain the information required in order to demonstrate compliance with the parameters and conditions of the Outline Planning Permission in so far as their relevance to an infrastructure only proposal. A Discharge of Condition Application is submitted alongside this Reserved Matters Application in order to ensure compliance with certain conditions of the Outline Planning Permission.
- 7.3. The proposals also comply with relevant Development Plan Policy, National Guidance and the North West Bicester SPD including its approved masterplan. As such, Cherwell District Council are respectfully requested to **approve** the application for infrastructure as expeditiously as possible.

Town & Country Planning Act 1990 (as amended)  
Planning and Compulsory Purchase Act 2004

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