

Planning Statement

for

Submission of Reserved Matters Application pursuant to Outline planning permission 14/02121/OUT for the erection of 123 dwellings (including 37 affordable dwellings), parking, landscaping and other associated infrastructure.

at Phase 2A, Himley Village, Bicester

On behalf of Cala Homes (Cotswolds) Ltd

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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 2A at Himley Village, Bicester pursuant to Outline planning permission 14/O2121/OUT. The description of development for the application is as follows:

“Reserved Matters Application pursuant to Outline planning permission 14/O2121/OUT for the erection of 123 dwellings (including 37 affordable dwellings), parking, landscaping and other associated infrastructure.”

- 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 30th 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 and documents:

- 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) approvals (ref. Ref.22/O2375/NMA and 22/O3492/NMA) which must be read alongside the original Outline planning permission. As will be discussed below, these are highly relevant to this submission.
- 1.6. In addition to this Planning Statement, the Reserved Matters 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).
- 1.7. In addition, Conditions 8 and 9 of the Outline planning permission are required to be discharged prior to or alongside the first reserved matters application for a residential phase, relating to a Site Wide Masterplan and Design Code, and a detailed masterplan for the area of land fronting Middleton Stoney Road (B4030) annotated as 'Other Uses' on the Land use Parameter Plan. As such a discharge of condition application has been submitted to the Council prior to the submission of this Reserved Matters application.
- 1.8. The content of the application has been the subject of pre application discussions (see Section 4 for further details). 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. 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 Middleton Stoney Road (B4030). 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 (re-adopted December 2016). 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 Phase 2A Reserved Matters Application forms part of the Site that benefits from Outline planning permission (14/O2121/OUT) and comprises land in between the two main access roads from Middleton Stoney Road (B4030) together with land further west. The access points are the subject of a separate Reserved Matters Application (LPA Ref: 23/OO214/REM) which is awaiting determination.
- 2.4. Part of the Site includes a section of the Primary Road included on the Land Use Parameter Plan (Dwg. No. 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 Use Class C2 and C3) and commercial purposes under that plan. These are shown on the Site Layout but are not part of the application Site.
- 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 Site which provides services to destinations including London Marylebone, Oxford and High Wycombe. The closest primary school is Kings Meadow Primary School located approximately 700 metres to the north east, however a new primary school has been approved as part of the Outline planning permission 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.

3. Planning History

- 3.1. Application **14/O2121/OUT** was originally registered on 31st 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 decision notice was issued on 30th January 2020.
- 3.4. The planning permission was subject to 53 conditions and the wording of some, as will be discussed below, have 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/O2375/NMA** was approved on 2nd September 2022 and this 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/O3492/NMA** was approved on 19th December 2022 and this 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. 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 planning permission. The requirement therefore is for the submission of the First Phase to be made by 30th January 2023. The Phase 1 application referred to above, reference **23/00214/REM**, was validated on 24th January 2023 thereby ensuring compliance with this condition which Cherwell District Council have also confirmed.
- 3.9. In respect of the remaining conditions, the latest Non-Material Amendment 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. As such, they were not required to be discharged alongside application **23/00214/REM** however this is now required alongside the current Phase 2A Reserved Matters Application.
- 3.10. The approval of **22/03492/NMA** also gave provision for the Phasing Plan required by Condition 7 to evolve and be varied via a further submission if this was required. A Phasing Plan to discharge Condition 7 has been submitted as part of application **22/00207/DISC** which also included details pursuant to Conditions 10 (Biodiversity Strategy) and 11 (Site-wide surface water drainage scheme). Application **23/00183/DISC** has also been submitted to discharge Conditions 20 (Carbon Emissions) and 30 (CEMP) in relation to Phase 1. Finally, Condition 32 (Written Scheme of Investigation) has been partially discharged on 16th May 2023 via application **23/00781/DISC**.
- 3.11. As will be detailed in the section below, there are a number of conditions relevant to the proposals. The approval of **22/03492/NMA** meant that the Phase 1 application did not need to be accompanied by these details, however such details are now required to be submitted alongside the current application.
- 3.12. 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. Pre-Application Consultation

- 4.1. The Applicants submitted a Pre-Application enquiry to Cherwell District Council in January 2023 (LPA Ref: 23/OO266/PREAPP). A meeting took place with the Council on 27th March 2023 to discuss various aspects of the Site and the forthcoming submissions, and a written response was received from the Council on 11th May 2023.
- 4.2. Relevant to the current application, the response contained advice with regards to the design strategy and the affordable housing mix. In terms of design, comments were made with regards to the siting of dwellings in relation to the mixed-use areas and the care home, clarity between public and private areas in relation to the apartments and the parking provision. In terms of affordable housing, it was suggested that an alternative mix be put forward to that set out within the Section 106 Agreement. This is addressed below.
- 4.3. The Applicants also undertook Pre-Application public consultation with a consultation event taking place at Kingsmere Community Centre, Bicester on Wednesday 19th April 2023. Full details of the event are detailed in the accompanying Statement of Community Involvement.

5. Development Proposals

- 5.1. This application seeks Reserved Matters Approval for the first phase of residential development at Himley Village that was approved under Outline planning permission **14/O2121/OUT**, hereafter referred to as Phase 2A. The application seeks reserved matters approval for 123 dwellings together with the required parking, landscaping, access, drainage and any other associated infrastructure required for a residential development. Of the 123 dwellings proposed, 37 will comprise 'affordable housing' amounting to 30% of the units proposed as required by the Outline planning permission and Local Plan Policy Bicester 1.
- 5.2. The principle of the development was established by the Outline planning permission which approved various parameter plans that subsequent reserved matters applications need to accord with. Of particular reference to this application are the Landscape Parameter Plan 3, Land Use Parameter Plan 4, Building Heights Parameter Plan 5, Density Parameter Plan 6 together with the Movement and Access Plan and the SuDS Plan.
- 5.3. To an extent, the conditions of approval **14/O2121/OUT** (as amended) 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 was made alongside Reserved Matters Application **23/OO214/REM**.
- 5.4. Various other conditions also reference requirements for Reserved Matters submissions for new dwellings.
- 5.5. This application is also accompanied by a full set of layout drawings together with plans and elevations of the dwellings. As set out, the Design Code is submitted as a concurrent discharge of conditions application and a supporting statement is included to set out compliance. Detailed proposals are also set out with regards to landscaping and parking, and the application is also supported by a Heritage Statement and Statement of Community Involvement. There are also Section 106 requirements for Reserved Matters Applications which are discussed below.
- 5.6. The submitted layouts confirm the housing mix, tenure, materials and parking proposals, surfaces and boundary treatments, and landscaping elements of the proposals. Of the 123 dwellings proposed, 86 will be private dwellings with 37 affordable dwellings. These will include 25 rented and 12 intermediate dwellings. The exact mix is set out in the Accommodation Schedule on the accompanying Site Layout Plan.
- 5.7. Finally, it is confirmed that this Reserved Matters Application for the first residential phase of development 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.

6. The Planning Policy Framework

6.1. 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

6.2. 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 (re-adopted December 2016)
- Saved Policies of the Cherwell Local Plan 1996 (adopted November 1996)

Cherwell Local Plan 2011-2031 Part 1

6.3. **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 of which 30% will be affordable housing. 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'. The following are considered to be the most relevant to the current proposals:

- Proposals should comply with Policy ESD15.
- High quality exemplary development and design standards including zero carbon development, Code Level 5 for dwellings, the use of low embodied carbon in construction materials and promoting the use of locally sourced materials.
- Enabling residents to easily reduce their carbon footprint and live low carbon lifestyles.
- A layout that enabled a high degree of integration and connectivity between new and existing communities and maximises the potential for walkable neighbourhoods.

- New footways and cycleways that link with existing networks.
- A layout that prioritises non-car modes.
- Development that respects the landscape setting and that demonstrates enhancement, restoration, or the creation of wildlife corridors to achieve a net gain in biodiversity.
- Consideration to maintaining visual separation with outlying settlements. Connections with the wider landscape should be reinforced and opportunities for recreational use of the open countryside identified. Development proposals to be accompanied and influenced by landscape/visual and heritage impact assessment.
- Careful consideration of open space and structural planting around the site to achieve an overall improvement in the landscape and visual impact of the site.
- Significant green infrastructure provision, and public open space to form a well connected network of green areas.
- Preservation and enhancement of habitats and species on site, particularly protected species and habitats, and creation and management of new habitats to achieve an overall net gain in biodiversity.
- 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.
- Demonstration of climate change mitigation and adaptation measures.

6.4. 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.

6.5. **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.

6.6. **Policy BSC 4 (Housing Mix)** states that new residential development will be expected to provide a mix of homes to meet current and expected future requirements in the interests of meeting housing needs and creating socially mixed and inclusive communities.

6.7. **Policy BSC 10 (Outdoor Space, Outdoor Sport and Recreation Provision)** sets out that the Council will encourage partnership working to ensure that sufficient quantity and quality of, and convenient access to open space, sport and recreation is secured. It will be ensured that new developments contribute to open space, sport and recreation provision commensurate to the need generated by the proposals. In determining the nature of new or

improved provision the Council will be guided by the evidence base and consult with town and parish councils to ensure that provision meets local needs.

- 6.8. **Policy BSC 11 (Local Standards of Provision)** states that the amount, type and form of open space will be determined having regard to the nature and size of the development proposed and the community needs likely to be generated by it. Provision will be made in accordance with the standards set by the policy, although proposals for North West Bicester will be considered against the requirements of Policy Bicester 1.
- 6.9. **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.
- 6.10. **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.
- 6.11. **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.
- 6.12. **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.
- 6.13. **Policy ESD 15 (Character of the Built and Historic Environment)** sets out that successful design is founded on an understanding and respect for an area's unique built, natural and cultural context. New development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality design. All new development will be required to meet high design standards. New development proposals should:
- Be designed to deliver high quality safe, attractive, durable and healthy places to live and work in. Development of all scales should be designed to improve the quality and appearance of an area and the way it functions.
 - Support the efficient use of land and infrastructure, through appropriate land uses, mix and density.
 - Contribute positively to an area's character and identity by creating or reinforcing local distinctiveness and respecting local topography and landscape features.
 - Conserve, sustain and enhance designated and non-designated heritage assets.

- Reflect or reinterpret local distinctiveness including elements of construction, elevational detailing, windows and doors, building and surfacing materials, mass, scale and colour palette.
- Consider the amenity of both existing and future development, including matters of privacy, outlook, natural lighting, ventilation and indoor and outdoor space.

The design of new development will need to be informed by an analysis of the context, together with an explanation and justification of the principles that have informed the design rationale.

- 6.14. **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

- 6.15. Some Saved Policies of Cherwell's 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:
- 6.16. **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)

- 6.17. 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.
- 6.18. As the principle of development has already been firmly established both via Policy Bicester 1, the SPD and more importantly, 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 policy document is less specific. Nonetheless, the following paragraphs are considered relevant to the proposals.

Achieving Sustainable Development

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

The Presumption in favour of Sustainable Development

- 6.21. **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

- 6.22. **Paragraph 38** states 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

- 6.23. **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

- 6.24. **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.
- 6.25. **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.
- 6.26. 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 details are assessed below.

Achieving well-designed places

- 6.27. **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.
- 6.28. **Paragraph 130** states that planning decision should ensure that developments will function well and add to the overall quality of the area, not just for the short term but for the lifetime of the development, are visually attractive, are sympathetic to local character and history, establish or maintain a strong sense of place, optimise to potential of the site to accommodate and sustain an appropriate amount and mix of development, and create places that a safe, inclusive and accessible, which promote health and wellbeing, with a high standard of amenity for existing and future users.

Conserving and enhancing the natural environment

- 6.29. **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)

- 6.30. Paragraph 006, Reference ID 14-006-20140306 sets out that Reserved Matters are those aspects of a proposed development which an applicant can choose 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

- 6.31. The Council have begun consulting on Options for the Cherwell Local Plan 2040 however, this is at a very early stage, and it is 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

- 6.32. 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.
- 6.33. **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.
- 6.34. **Development Requirement 2 (True zero carbon development)** states that development at North West Bicester must achieve zero carbon emissions as defined in the SPD, Energy strategies should identify how the proposed development will achieve the zero carbon targets.
- 6.35. **Development Requirement 3 (Climate Change Adaption)** requires planning applications to incorporate best practice on tackling the impacts of climate change on the built and natural environment.
- 6.36. **Development Requirement 4 (Homes)** requires proposals to include details of 30% affordable housing of a type and tenure to meet local housing needs. All homes should achieve Building for Life 12, use energy efficient materials as part of the building fabric and address the issue of overheating.
- 6.37. **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.
- 6.38. 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 the 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.
- 6.39. 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.
- 6.40. **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.

- 6.41. **Development Requirement 7 (Healthy lifestyles)** states that proposals should provide facilities which contribute to the wellbeing, enjoyment and health of people, and that planning applications should set out how the design of development will deliver healthy neighbourhoods.
- 6.42. **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.
- 6.43. **Development Requirement 9a (Tree planting)** states that planning applications should allocated appropriate space for the root and crown development of trees.
- 6.44. **Development Requirement 9e (Biodiversity)** states that biodiversity mitigation and enhancement should be incorporated into development proposals to provide a net biodiversity gain.
- 6.45. **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.

7. Assessment of Proposals

- 7.1. 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.
- 7.2. The Outline planning permission is 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 Outline planning permission 14/02121/OUT

- 7.3. 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. All matters of detail, which include access, appearance, landscaping, layout and scale, were reserved, therefore such matters will all need to be considered under the current application.
- 7.4. A number of Parameter Plans were approved as part of the Outline planning permission that are listed at Paragraph 1.4 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 all Reserved Matters Applications have to comply with. The application Site for this Reserved Matters Application sits within the 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)** sets out the Site Wide Landscaping Proposals including areas of woodlands, hedgerows, public green space and sports fields. In respect of the proposed Site, this Reserved Matters Application only includes indicative locations for SuDS and a play area. SuDS is dealt with below and although a play area is not included, the location was indicative only and such provision will be dealt with under future applications. The proposals include landscaping along both access roads together with a landscape buffer along the east-west Spine Road, an area of open space to the west and tree planting throughout the Site.

- The **Land Use Parameter Plan 4 (592-PL-103 Rev K)** sets out locations for various permitted land uses within the Site. Aside from the roads, the whole of the Site is designated as residential with the location of the Primary Road also set. The proposals are therefore in accordance with this plan.
- The **Building Heights Parameter Plan (592-PL-104 Rev H)** sets a maximum height of 13 metres for the majority of the Site, with an increase to 16 metres in some areas including along the Primary Road. The development proposals are in accordance with the approved parameter plan, with a maximum proposed dwelling ridge height of 10.5m.
- The **Density Parameter Plan (592-PL-105 Rev H)** sets a density of between 20 to 35 dwellings per hectare for the Site. The residential areas of the Site have an area of approximately 4.5 hectares, with a resultant density of 27.3 dwellings per hectare which accords with this plan.
- 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 is shown in the same location as this plan, with the Secondary Street running east-west in general accordance with the plan.
- The **SUDs Parameter Plan (1665/75/05 Rev B)** identifies the locations of swales within the Site. These include the two primary roads running north into the site from Middleton Stoney Road (B4030), and the east-west Secondary Street. The accompanying Layout Plan shows swales in these locations in compliance with this plan.

- 7.5. The Outline planning permission also imposed a number of conditions which all Reserved Matters Applications need to be consistent with. The paragraphs below set out how the application, or related applications, have addressed these.
- 7.6. **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. An application was submitted to discharge these conditions at the same time as the Infrastructure Reserved Matters Application which is pending determination. The development is Part of the Phase 2 area set out on the Phasing Plan submitted to discharge Condition 7, now referenced as Phase 2A. A Biodiversity Strategy is submitted as part of this application in accordance with the second part of Condition 10.
- 7.7. **Conditions 8 and 9** require a Site Wide Masterplan and Design Code to be submitted alongside the first Residential Reserved Matters Application. These are submitted as part of a concurrent discharge of conditions application. It is explained below how the proposed development complies with the Masterplan and Design Code.
- 7.8. **Condition 12** requires the Reserved Matters Application 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. This is addressed in the Building for Life Assessment prepared by Pegasus Design.

- 7.9. **Condition 13** requires the application to be accompanied by a future climate impact statement in order to assess how the design of buildings and the layout has taken account of future climate impacts. Hydrock have prepared an impact statement to address this requirement.
- 7.10. **Condition 14** requires the application to be accompanied by a noise assessment whether any area is subject to elevation levels of noise, principally from road traffic sources. Any dwellings that are to be constructed in any affected area shall be identified, and sound insulation provided as necessary. Hydrock have prepared the necessary noise assessment.
- 7.11. **Condition 16** requires the application to include full details of the means of access between the land and the highway. The access to Middleton Stoney Road (B4030) is being dealt with under application **23/OO214/REM** and the Hydrock highway/engineering plans demonstrate that acceptable and safe access is provided within the site.
- 7.12. **Condition 17** requires the application to include details of the means of footway and cycleway links. The application shows separate shared footway/cycleways running parallel to both the Primary and Secondary roads into the Site from Middleton Stoney Road (B4030). These will link into a footway/cycleway running along the front of the Site which links to a bus stop and the wider network into Bicester to the east. Separate routes are also shown running east-west along the secondary streets, with a mix of footways and shared surfaces provided internal to the residential areas.
- 7.13. **Condition 18** requires the application to be accompanied by a Travel Plan setting out how the development will enable at least 50% of trips originating within the development to be made by non-car means, increasing over time to 60%. The submitted Travel Plan prepared by Hydrock explains how this is to be achieved.
- 7.14. **Condition 19** requires the application to be accompanied by a detailed surface water drainage scheme for the phase to meet the flood risk, water quality, green infrastructure and biodiversity requirements of the site. A Surface Water Drainage scheme has been prepared by Hydrock to address the requirements of the condition.
- 7.15. **Condition 20** requires a report setting out how carbon emissions from the construction process and embodied carbon will be minimised. The submitted CMP prepared by Hydrock addresses this requirement.
- 7.16. **Condition 21** requires a desk study and site walk over to identify all potential contaminative uses on Site to be submitted. The submitted Ground Investigation Report prepared by Hydrock deals with this issue.
- 7.17. **Condition 24** requires a pollution prevention scheme to dispose of contaminated surface water to be submitted. This scheme has been provided by Hydrock.
- 7.18. **Condition 25** requires the submission of an up to date ecology report. The surveys have been undertaken and a report has been produced by Tyler Grange for approval.
- 7.19. **Condition 26** requires the submission of details of hedgerow removal and proposals for the creation of compensatory hedgerow and these are provided.
- 7.20. **Condition 27** requires the submission of a phase-specific Arboricultural Method Statement. A Method Statement has been provided by Refer Tyler Grange.

- 7.21. **Condition 29** requires the submission of a Landscape and Habitat Management Plan detailing both management and monitoring proposals for green space for the phase.
- 7.22. **Condition 30** requires a construction method statement to be submitted. This is covered
- 7.23. **Condition 31** requires the submission of a soil resources plan that details the soils present, proposed storage locations, handling methods and locations for reuse within the phase. This has been produced by Hydrock.
- 7.24. **Condition 34** requires the submission of a foul drainage strategy for conveyance and treatment, detailing any on and off site drainage works required. This is included in the Drainage Strategy prepared by Hydrock.
- 7.25. **Condition 36** requires details of a strategy to work towards water neutrality to be submitted. This has been produced by Hydrock.
- 7.26. **Condition 37** requires the submission of a Site Waste Management Plan targeting zero construction waste to landfill for that phase. This has been produced by Hydrock.
- 7.27. 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 Ref.22/O2375/NMA and 22/O3492/NMA) have therefore been satisfied insofar as the provision of the information being submitted for approval is concerned.
- 7.28. Finally, whilst not validation requirements, the completed Section 106 Agreement contained the requirement for Reserved Matters Applications to be accompanied by a Cultural Wellbeing Statement. This is aimed at achieving high quality distinctive design of buildings, community engagement and public art. Design is assessed below, and the Statement of Community Involvement details the community engagement that took place before this application was submitted. Public Art is not part of this proposal.

Compliance with Design Code

- 7.29. Concurrent with this application, a Design Code has been submitted pursuant to Condition 8, the purpose of which is to guide the design of future planning applications, ensuring that the design principles and objectives for high quality design are delivered consistently across the development. Once approved, applications for Reserved Matters Applications will need to follow the Design Code as a clear set out rules, and although not yet approved this also applies to the current application.
- 7.30. Section 5 of the Design Code sets out a number of Character Areas within the wider site. This phase of the development would fall within the Spine Road (CA1), Green Edge (CA2), Core Housing (CA3) and Himley Green (CA4) Character Areas.
- 7.31. The Spine Road Character Area has the widest streets in the development and will comprise detached and semi-detached properties, with avenue tree planting and drainage swales to one side of the primary movement route. There will be a regular and consistent formal building line and the opportunity for the inclusion of more 2.5-3 storey buildings, along with apartments in compliance with the Building Heights Parameter Plan. There will be a consistent materiality featuring red brick with dark brick feature panels, slate effect roofing and anthracite grey windows.

- 7.32. The submission demonstrates compliance with this Code with wide, well planted streets and a mix of detached and semi-detached properties with a regular building line. The Building Heights Plan and the House Types Pack demonstrate compliance in respect of these elements as required.
- 7.33. The Green Edge Character Area has a semi-formal character and comprises development overlooking green corridors and areas of public open space. The area will be typified by more varied dwellings setbacks, allowing for greener planted frontages, as well as greater variation in the ridge heights of dwellings, and the more varied application of materials.
- 7.34. The detailed proposals demonstrate compliance with the Design Code, with dwellings featuring red and buff brick facades, with feature gables in green weatherboarding, and the use of green coloured fenestration. Dwellings styles vary with larger detached dwellings and semi-detached units overlooking landscaped edges as set out in the House Type Pack and proposed Street Scenes.
- 7.35. The Core Housing Character Area comprises internal streets, with areas of back-to-back development. Within groups dwellings will have consistent building lines and set-backs, and a strong sense of rhythm will be created through the repetitive use of materials and detailing.
- 7.36. The submission proposals comply with the Design Code with dwellings and streets within the Core Housing Character areas designed to aid a coherent and semi-formal character. The proposals have been designed to ensure that the use of house types and styles, with brown and buff multi brick façades, brown and light grey roof tiles are grouped, with the use of dwellings to terminate key views through the development. Properties are served by parking to both the side and front. Street tree planting is also included to provide visual amenity to frontage parking in accordance with the Design Code.
- 7.37. The Himley Green Character Area comprises an area of semi-formal linear development around the Village Green, near the centre of the site, and extending south towards the eastern vehicular entrance. Development within this character area will be typified by a strong sense of rhythm, materiality and repetition in the street scene. Development will have a strong sense of identity through the limited use of materials and detail, but less formal frontages will be created with varying setbacks and greater variation in built form.
- 7.38. The submission demonstrates compliance with this Code with the consistent use of dark grey roof tiles and dark grey weatherboarding providing repetition and rhythm in the street scenes, with dwellings set behind more varied depth planted frontages.
- 7.39. The Design Code also sets out strategies for car and cycle parking. Allocated car parking is to be predominantly on-plot, either to the front or side of dwellings with a minimum of one space provided for one bedroom dwellings and two spaces for two or more bedroom dwellings. The same standard is to be applied for cycle parking.
- 7.40. The parking layout plan submitted with the application demonstrates compliance with this element of the Design Code.
- 7.41. The Access and Movement Codes set out how new pedestrian and cycle routes will be provided and that a clear and legible hierarchy of cycle and pedestrian movement routes will be developed across the Site with new connections providing links to community

destinations. Access for pedestrians and cyclists is prioritised within the Code, offering pedestrians and cyclists direct routes to key community destinations and services.

- 7.42. Detailed pedestrian and public transport access strategies are set out within the Design Code which secures these elements. This will ensure that continuous, well lit and attractive walking routes with good sightlines will be provided with routes of adequate width with numerous crossing points. It is highlighted that the nearest existing bus stop is located to the south of the site on the Middleton Stoney Road (B4030), and also that a bus link will be provided through the site in the future via the Primary Road.
- 7.43. The layout demonstrates the pedestrian and cycle links both into and within the site. At the western vehicular entrance 2m footways will be provided to both sides of the Spine Road, with an additional segregated 3m two-way cycle route provided to the eastern side of the carriageway. At the eastern vehicular entrance, a 2m footway to the west and 3m shared use pedestrian/cycle route are proposed.
- 7.44. The proposed pedestrian and cycle links will also connect into the proposed north-west to south-east shared use pedestrian/cycleway along the northern side of Middleton Stoney Road (B4030). This route will in turn connect into the existing provision to the east of the site. (It should be noted that the shared use ped/cycleway to the northern side of Middleton Stoney Road is excluded from this Phase 2A RMA, however, it is included within the Phase 1B infrastructure RMA). This route will also link to the existing bus stop on Middleton Stoney Road (B4030). These non-car routes will link into the Site to the dwellings and public open space as required by the Design Code. The Primary Road is provided as required which will form the beginning of the bus route through the Site.
- 7.45. The Design Code also includes a chapter on landscaping and drainage. The Concept On-plot landscaping demonstrates compliance with the Design Code, with proposed feature tree planting located within the open space to the west of the application extents, hedgerow planting to define private boundaries along the spine road and native shrub planting within area of public open space. The SuDS strategy includes the provision of primary and secondary swales through the residential areas, which the development would be in accordance with. Of particular note are the primary swales to be provided alongside the primary movement route into the Site from the two southern access points, to be situated between the carriageway and the cycle routes, which is what is proposed.
- 7.46. In terms of ecology and trees, the submitted documents demonstrate compliance with the requirements of the Design Code. Hydrock demonstrate compliance with the sustainability strategy, which references eco-town principles. The proposed development is therefore compliant with the Design Code that has been submitted to discharge Condition 8.

Development Plan Policy and other Material Considerations

- 7.47. 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 and much of the consideration has been dealt with by the documents referred to above, which is to be expected given that the Outline planning permission was granted in accordance with the same Development Plan.
- 7.48. However, in respect of the relevant points of the policies referenced, both Policy Bicester 1 and Policy ESD15 require high quality development and design standards including low carbon development, and development of all scales should be designed to improve the

quality and appearance of the area and the way it functions. The Design Code sets out how the character areas within the site have responded to local settlements, and the purpose of this document is to ensure that the design principles and objectives for high quality design are delivered consistently across the development. As such, development that is in accordance with the Design Code is considered to also be in accordance with the relevant parts of Policy Bicester 1 and Policy ESD15.

- 7.49. Policy Bicester 1 makes references to the requirements for zero carbon development which are referenced within the submission documents and summarised above, as are the requirements for connectivity through new footways and cycleways which link with existing networks. The site is walkable and the layout prioritises non-car modes through the pedestrian footways and cycleways provided.
- 7.50. Significant green infrastructure provision is set out in accordance with the Design Code, and public open space provided. The ecology documents set out how the preservation and enhancement of habitats and species on site will be achieved, and sustainable drainage will be provided in accordance with Policy ESD7.
- 7.51. 37 affordable dwellings will be provided, which equates to 30% of the dwellings proposed by the application in accordance with Policy Bicester 1. The affordable units will comprise 25 rented units (70%) and 12 intermediate units (30%) with the following mix:
- 6 x one bedroom units (16%)
 - 22 x two bedroom units (60%)
 - 9 x three bedroom units (24%)
- 7.52. The affordable mix is in general accordance with that set out within the Section 106 Agreement that was completed as part of the Outline planning permission.
- 7.53. 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.
- 7.54. In respect of the other relevant Development Plan Policies, these are matters that have already been covered through compliance with the relevant Conditions. 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 the proposals set out the detail pertaining to the access, appearance, layout, landscaping and scale of the proposals through the submission documents.
- 7.55. The North West Bicester SPD includes a masterplan, which the proposals comply with in so far as they are proposing residential development where such development should be located. 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.

8. Conclusion

- 8.1. The site which is known as Himley Village already benefits from an outline planning permission (ref. 14/O2121/OUT) for the following:-

“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).”

- 8.2. The Outline planning permission was granted on 30th January 2020 and established the principle of the proposed development in this location. The permission now requires the submission and approval of reserved matters and for the development to be carried out in accordance with a number of approved Parameter Plans.
- 8.3. The Applicant is now seeking Reserved Matter approval for the first phase of residential development, known as Phase 2A. This phase comprises 123 dwellings including 37 affordable dwellings along with other associated works and landscaping.
- 8.4. The suite of application documents provides all the information required in order to demonstrate compliance with the approved Parameters Plans and other relevant conditions of the Outline Planning Permission.
- 8.5. The application is also submitted concurrently with a Design Code for the wider site as is required with the submission of reserved matters for the first residential phase of the development.
- 8.6. This Planning Statement explains how the proposals also comply with relevant Development Plan Policy, National Guidance and the North West Bicester SPD including its approved masterplan.
- 8.7. As such, Cherwell District Council are respectfully requested to approve this Reserved Matters application.

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

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