

## **Oxfordshire County Council's response to Cherwell District Council's consultation on Phase One North West Bicester Eco-town (application: 10/01780/HYBRID)**

### **Summary**

1. Based on current information, officers recommend that the County Council should submit an **objection** to Cherwell District Council (CDC). Further details for this decision are provided in this paper.
2. It should be noted, however, that through further engagement with the applicant, more detailed information being provided and a commitment to fund measures that will ensure that the standards set for eco-towns are met, many of our concerns could be resolved.

### **Introduction**

3. CDC has consulted the County Council on P3Eco/A2 Dominion's (the applicant) application for the first phase of the 5,000 dwelling North West Bicester Eco-town.
4. The County Council has signed a Planning Performance Agreement (PPA) which sets out the timetable for determining this application. The PPA requires the County Council to respond with initial comments to CDC by the 4<sup>th</sup> February. The PPA timetable currently outlines that the application will be determined by CDC in May 2011.
5. The Government has identified North West Bicester as one of four national eco-town locations and the proposal therefore needs to meet the eco-town standards, as outlined in PPS1.

### **The Proposal**

6. The application is a hybrid proposal for:
  - a) full planning permission for 394 residential units and an energy centre (up to 400 sq m), means of access, car parking (703 spaces), landscape, amenity space and service infrastructure;
  - b) outline permission for a nursery (up to 350 sq m), community centre (up to 350 sq m), three retail units (up to 770 sq m) including a convenience store, post office and pharmacy, an eco-business centre (up to 1800 sq m – use B1), office accommodation (up to 1100 sq m – use B1), an eco-pub (up to 190 sq m) and a primary school site (up to 1.34ha) with access and layout to be determined.
7. The application is accompanied by an overall masterplan for a 5,000 dwelling eco-town, which provides context for assessing the application and a vast amount of other supporting information.

### **Relevant strategic policy**

8. The Oxfordshire City-Region Enterprise Partnership identifies Bicester as a key spatial priority where the eco-town will be used to act as the focus for delivering an international exemplar of sustainable development. In addition to this, the County's emerging Local Transport Plan outlines a

transport strategy for Eco-Bicester taking account of all of the known development that is due to take place in the town over the next 20 years. The application will also need to be considered in accordance with national policies, such as PPG13 (Transport).

9. Following the site's identification in PPS1, CDC has, with support from the County Council, Bicester Town Council and other key stakeholders, promoted North West Bicester because it believes the building of an exemplar eco-town offers an opportunity to re-position Bicester as a place where new communities are built to high environmental standards and where people across the town enjoy more sustainable lifestyles built on features such as first rate public transport and zero carbon technology. This aspiration, together with the standards an eco-development should meet, are set out in the "Eco Bicester – One Shared Vision" document, approved by the County Council's Cabinet in December 2010.

### **Comments**

10. Having reviewed the application, officers are concerned that there is little evidence to demonstrate how this development is different from any other development of this scale, with the exception of the houses on the site meeting the standard for Code for Sustainable Homes level five.
11. In addition to this general point, the application raises key issues which are summarised below (detailed officer comments are set out in Annex 1):

### **Economic Strategy and job generation**

12. PPS1 requires that the economic strategy demonstrates how access to employment will be achieved: as a minimum, the development should deliver access to one job per dwelling that is easily reached by walking, cycling and/or public transport.
13. The economic strategy accompanying this application is highly aspirational in terms of how the overall eco-town development could help reposition Bicester and how the first phase would generate 465 jobs opportunities. The applicant's aspirations appear dependent on partnership working; many of the on-site jobs would not be highly skilled nor related to green technology and it is not clear how or when the jobs would be delivered. In particular the heavy reliance on home working (one job per every three households) appears to be based on a large number of people who currently commute choosing to rebase existing jobs to their home location rather than the creation of new jobs in the Bicester economy. In conclusion, the strategy is ambitious but is light on substance.
14. **Recommendation: OBJECT**, unless further information is provided by the applicant explaining how they intend to implement their proposed strategy to ensure the timely provision of high quality jobs (on and off-site). In addition further background information is required to demonstrate the assumed levels of home working.

15. Whilst the County Council recognises that “Self-build” housing would not be viable as part of the proposals for Phase One, we have an expectation that that every opportunity should be taken to include this as part of the Masterplan for the overall site.

### **Social and Community Infrastructure**

16. There is a political aspiration for a primary school to be available on-site from day one of occupation to ensure sustainable travel patterns to school and to provide a focus for the new community. The application offers a site for a school and indicates its general location; however, the applicant considers that sufficient spare places exist in Bicester to accommodate the number of children they consider their development would generate. Officers have the following concerns with regards to the primary school:

- a) **Timing of on-site provision:** Officers are currently looking at how the design and construction programme for a new primary school could be accelerated to enable places to be provided as early in the development as possible; in addition we are looking at options for the provision of temporary places to accommodate the number of children generated between occupation of the first dwellings and the opening of a school. The applicant's Implementation Plan does not contain a sufficiently detailed timetable for the delivery of housing to enable us to properly plan the design and build of the new school or establish the scale of need for, timing and costs of temporary provision, including any necessary transport arrangements.
- b) **Funding of the new school:** Work is being undertaken on updating school place provision and catchments in Bicester, taking account of the impacts of already planned housing developments on future capacity. The nearest school to the eco-town site (Bure Park) is at capacity and an on-site school is required to establish sustainable travel patterns from the outset. The development should make a pro rata contribution to provision of the school. Members have already agreed that CLG money could be used to bridge the funding gap; however, the s106 agreement will need to ensure that the CLG money is “clawed back” so it can be used to forward fund other necessary social and community infrastructure in later phases of the development
- c) **School site:** The application only provides the general indication of land for the school; detailed information is required to enable the site to be agreed and fixed for inclusion in a s106 agreement.

17. **Recommendation: OBJECT**, unless through the s106 negotiations the applicant provides funding for the provision of the primary school and any necessary temporary education arrangements, including transport, and an appropriate school site can be agreed.

18. It is the County Council's presumption that community space will be co-located with the primary school at the heart of the new community. However, the applicant continues to propose a community building above

a ground floor nursery located within the local centre. There is no certainty as to when this facility would be delivered as it would depend upon demand for the private nursery and it remains separated from the school site.

19. **Recommendation: OBJECT**, unless through further discussions with the applicant an acceptable solution can be found to where and when a community facility should be provided on a permanent basis.

### **Transport**

20. PPS1 requires that 50% of movements generated by the development be by non-car means, with a more stretching target of 60% being the ultimate aim for eco developments attached to existing urban areas. The Travel Plan demonstrates how the applicant proposes to reach 45% by non-car means by 2016 and 50% by 2026, with an aspiration to reach 60% once the whole site is developed.
21. The location of this first phase of this development is driven by land ownership and this will present a further challenge in meeting the mode share targets, due to the fact that the site is “disconnected” from the existing town.
22. There are five areas of concern:
- a. **Connection between the northern and southern fields** – should be bus-only from the start, not a commitment to become so in later phases. It is important to establish this link as soon as possible so that the bus has some advantages over the car and this is an essential element of creating sustainable transport patterns within the site itself.
  - b. **Bus frequency** – the applicant commits to providing a 30-minute frequency 7am-7pm with an intention to seek to find ways to increase this to 15 minutes and cover a longer period of the day at the earliest opportunity. However, we require the applicant to provide a 15 minute frequency: without this commitment the bus element of this application is very poor and will affect the ability to meet the mode targets that have been set. Patronage numbers would be low which in turn will affect the long term viability and therefore mean more cars impacting on the highway network. In order to achieve this level of frequency, the applicant should explore innovative ways to provide this service.
  - c. **Parking** – the parking strategy within the Transport Assessment for this application states that residents are expected to own at least one car and the development requires a careful balance between meeting the needs of the residents and the businesses without unduly encouraging car use. However, the parking levels being proposed for the residential element of Phase 1 are in accordance with the maximum parking standards of CDC and OCC, and the applicant is proposing to squeeze in an additional space by designing garages that come in below standards. This would do little to support all the positive

elements of the Travel Plan and in fact could undermine them and therefore damage the chances of meeting the “non-car” targets.

The applicant should either ensure that the garages are increased to the proper size and a parking space being removed, or removal of the garage doors so that the undersized garages cannot be used as a parking space. This would enable the houses to be re-designed so that the garage space can be used as flexible storage and/or workspace, in line with their aspirations for high levels of home-working as outlined in their Economic Strategy.

- d. **Rights of Way** – officers have some concerns that insufficient consideration has been given to the impact on the Rights of Way network and opportunities for its enhancement. This will need to be subject to further discussion with the applicant.
- e. **Drainage** - there are a number of design, technical and legal issues with the proposed Drainage Strategy for the site which are currently unacceptable. These include that the proposals do not accord with the County Council’s specifications for Sustainable Urban Drainage Systems (SUDS) and a lack of information on the materials that would be used means that these would need to be resolved before support can be given.

23. **Recommendation: OBJECT** unless a) a bus-only link is provided between the northern and southern fields from the outset b) there is a commitment for the applicant to provide a 15 minute bus frequency; c) the garages either are increased to the proper size and a parking space removed, or the garage doors are removed so that the undersized garages cannot be used as a parking space; d) improvements to the Rights of Way network are funded and delivered by the applicant; e) significant amendments to the Drainage Strategy are agreed, particularly with regards to SUDS to ensure that it meets the County Council’s specifications.

### **Bridges**

24. The two bridges proposed within the site appear to be structurally sound, but the functional appearance is a missed opportunity to create an architectural statement that is exemplary in its design. Further details are required before “Approved In Principle” (AIPs) plans can be issued for their implementation. This must be a planning condition imposed by CDC.

25. **Recommendation: SUPPORT** subject to adequate information being submitted in order for AIPs to be issued and discharge of an appropriate planning condition.

### **S106 package**

26. Section 106 requirements for on and off-site transport and social & community infrastructure have been sent to the applicant. However,

agreement has yet to be reached on the population profile for the development on which these requirements were based and the applicant has yet to respond on the acceptability of these requirements. To help inform future negotiations, CDC and the County Council are currently jointly commissioning an independent viability assessor.

### **Waste & Energy**

27. On a positive note, officers welcome some of the ideas put forward and the ambitious targets for recycling and composting and reducing residual waste detailed in the application.
28. However, there is not enough information on what actually will be provided, by whom, by when and with what resources. Importantly there is hardly any detail as to who will pay the capital and revenue costs and who will manage these initiatives.
29. Now that the Secretary of State has confirmed that he will not be “calling-in” the decision on the Energy from Waste Plant at Ardley, officers believe that as the Masterplan for the site progresses, the applicant should be working actively with the EfW operator to consider the potential for links between the site and the Plant.
30. **Recommendation: SUPPORT**, subject to further information being provided to ascertain how some of the initiatives emerging from the Energy, Water & Waste workstream will be implemented within the development.
31. The principle of ensuring a varied energy mix is supported; however there could be greater recognition within the Energy Strategy of the degree to which architectural design and layout will be key to the degree of flexibility the proposed mix will have. (It should be noted that CDC are considering the merits of detailed design and the various house types of this proposal).
32. There are several references within the application to the Feed-in Tariffs for solar PV. These will be less financially attractive by March 2012 (pending Government review) so the development will be too late to take advantage of them. However, there are similar initiatives e.g. Renewable Heat Incentive that are not covered that would increase the financial viability of small scale solar thermal generation.
33. **Recommendation: SUPPORT**, subject to further information being provided to show that consideration has been given to these points.

### **Bio-diversity**

34. This development does not stand out as one that is demonstrating best practice by taking full account of the biodiversity present on the site or one that has taken opportunities to maximise biodiversity within the proposed development.

The main issues are:

- a. Advice from natural environmental consultees was not taken on board in the pre-application consultation process;
- b. The application masterplan design was finalised prior to ecological surveys being complete so was not based on '*up to date information about the environmental characteristics of the area*' as required by PPS9;
- c. There is a lack of detail on biodiversity enhancements;
- d. The development design does not maximise opportunities for biodiversity enhancement;
- e. There is a lack of evidence that the development will deliver a '*net gain in local biodiversity*' as required by PPS1;
- f. The delivery mechanism for the management of green space within the development is not secured;
- g. It appears that the applicant's timetable for the wider eco-town site includes a "design-fix" of the masterplan prior to the completion of all the ecological surveys, which will result in the same issues for the wider site which have occurred for this application.

35. **Recommendation: OBJECT**, unless information is provided to clearly demonstrate that the site masterplan is based on up to date information, achieves significant enhancements in the green space areas and achieves net biodiversity gain and through s106 negotiations we are satisfied that the long term management of green space is secured.

### **Community Engagement**

36. Officers consider the applicant approach to Community Engagement as set out in the Statement of Community Involvement should be commended. However, it needs to go much further in providing evidence of community engagement in design and planning of the proposal. To avoid a feeling of over-consultation future engagement should focus on key issues to ensure that the development creates something different.

37. **Recommendation: SUPPORT** subject to further clarity being provided to demonstrate that the applicant has met the Community Engagement standards as outlined in PPS1.

### **Archaeology**

38. An archaeological field evaluation has been carried out on the exemplar site which did not record any archaeological features. There will therefore not be a need for any further archaeological investigation as part of this proposal. However the possibility of finds occurring during the course of construction should be borne in mind, in which case the applicant is asked to notify the County Archaeologist in order that he may make a site visit or

otherwise advise as necessary. This need only be an informal notification to the applicant and does not require the attachment of a planning condition.

**Recommendation**

39. It is **recommended** that the County Council informs Cherwell District Council that:
- a. it **objects** to the development proposed in application no. 10/01780/HYBRID, for the reasons outlined in paragraphs 10 – 38 of the above report;
  - b. it is of the opinion that through further engagement with the applicant, more detailed information being provided and a commitment to fund measures that will ensure that the standards for eco-towns are met many of the concerns could be resolved;
  - c. it has a number of detailed comments, as outlined in Annex 1, which should be taken into account in the determination of the application.

Daniel Round  
Linda Currie  
03.02.2011