



PLANNING STATEMENT

**OUTLINE PLANNING APPLICATION FOR UP TO
200 RESIDENTIAL UNITS, ACCESS, AMENITY SPACE AND
ASSOCIATED WORKS INCLUDING
NEW VILLAGE SHOP / HALL**

AT

LAND OFF FRINGFORD ROAD, BICESTER

SUBMITTED ON BEHALF OF

CALA HOMES (MIDLANDS) LIMITED

Date: July 2013

Ref: 13/024

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1. Introduction

- 1.1 This statement is written in support of an outline planning application for up to 200 residential units, access, amenity open space, and associated works, including new village shop / hall.
- 1.2 The planning application is submitted on behalf of CALA Homes (Midlands) Limited.
- 1.3 Section 2 of this statement sets out the Site Characteristics and Planning History; Section 3 deals with Proposed Development and Section 4 addresses Community Consultation.
- 1.4 Planning policy is assessed at Section 5. The case for the proposed development is set out fully in Section 6 of the document. It examines a number of key material planning considerations, including the out of date nature of the Development Plan and lack of sufficient deliverable housing in the District which are significant material considerations, and justifies attributing significant weight to permitting development in advance of the progression of the Local Development Framework.
- 1.5 This statement should be read in conjunction with a range of other supporting documents relating to environmental and other matters relevant to the development proposal.
- 1.6 It will be shown that the proposals are acceptable in all respects, and will deliver much needed housing in accordance with the provisions of the NPPF. The Council are therefore invited to grant planning permission at the earliest opportunity.

2. Site Characteristics and Planning History

- 2.1 The site extends to an area of 7.1 hectares.
- 2.2 The site comprises an area of rough grassland to the western site of Fringford Road. The site is at present private land which is occupied by a dwelling, stables and pasture, and includes a public right of way.
- 2.3 The land is bounded by mature woodland to the west and north east. Mature hedgerows line the eastern and southern boundaries which abut Fringford Road, and an unnamed road respectively with the exception of the south east corner, which runs behind the back gardens of four houses on Fringford Road.
- 2.4 The northern boundary is more open to the fields beyond with much of it being fence-lined.
- 2.5 Levels are generally flat across the site.
- 2.6 The existing access points to the site are off the unnamed road on the southern boundary. A further access is taken off Fringford Road leading to one of the four dwellings adjacent to the site and extending onwards into the application site itself.
- 2.7 The site lies within an urban environment and adjoins the urban area of Caversfield, a previously distinct settlement now forming part of the wider Bicester urban area.
- 2.8 The local highway network is dominated by the A4095 and the A4421 which together form part of the bypass surrounding Bicester. From here, a number of roads run towards the town centre, whilst others radiate outwards to surrounding settlements.
- 2.9 In the vicinity of the site, Fringford Road is approximately 6 metres wide with a 1 metre wide footway on the eastern side of the carriageway.
- 2.10 There are bus stops within the vicinity of the site; one 240 metres away on Skimmingdish Lane, one 750 metres distant on Banbury Road, and a further bus stop 1 kilometres away on the A4421.

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- 2.11 Bicester town centre is located within reasonable walking and cycling distance of the application site, to the south. It is a significant commercial, retail and administrative core providing a considerable range of shops, services and facilities not only for Bicester but also the wider hinterland.
- 2.12 A further analysis of the site and surroundings is set out within the accompanying Design and Access Statement.
- 2.13 Turning to consider planning history, a review of the Council's records indicate that there has been no previous planning applications for residential development on the site.

3. Proposed Development

3.1 The description of development, as found on the 1APP forms, is as follows;

“Outline planning application for up to 200 residential units, access, amenity space and associated open works including new village shop / hall”

3.2 The development proposed has evolved from the initial Constraints and Opportunities Assessment. This is set out in detail within the accompanying Design and Access Statement.

3.3 The built form of the proposals is designed to reflect some of the principles of design in streets and spaces in the local area. Whilst much of the post-war development in the village of Caversfield is not considered to exhibit a high design quality, there are elements that can be drawn upon to inform the new proposals.

3.4 The developable area has been determined by the desire to retain and enhance important nature features, including existing trees and public open space where possible. The intention is to develop the site with an attractive and accessible scheme with a key open space at its heart. Careful consideration of important key links and views has also informed the location of development parcels, streets and spaces within the site.

3.5 Buffer planting has been employed to supplement existing boundaries and reinforce the sense of enclosure within the site.

3.6 Vehicular access from Fringford Road leads to an internal return loop within the site, which in turn serves each development parcel. An existing footpath link has been retained running north – south through the east of the site where it passes two public open spaces, before joining Fringford Road opposite Skimmingdish Lane.

3.7 An attenuation area and public open space at the site entrance provides a soft and subtle integration with the rest of the village, whilst maintaining an element of formality and providing a setting for a new village shop / hall with parking.

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- 3.8 The site has been defined as medium density with a mix of detached and semi-detached units with higher density development surrounding the green at the centre of the site.
- 3.9 The majority of the site is made up of two-storey buildings with the height increasing to 2.5 storeys to reflect importance within the overall scheme, and providing subtle variances in building height.
- 3.10 The four character areas are proposed in order to engender legibility and a sense of place; green gateway, Fringford Green, village streets and rural edge.

4. Statement of Community Engagement

- 4.1 Community involvement is at the forefront of national planning policy and is noted in the final version of the National Planning Policy Framework March 2012.
- 4.2 The Localism Act (November 2011) enshrines in law the need for consultation. The Act requires developers to consult local communities before submitting planning applications for certain schemes; allowing people to comment when there is genuine scope to make changes to proposals.
- 4.3 Recognising the importance of consultation, Meeting Place Communications were engaged by the applicants to prepare and carry out a strategy for consulting the general public with regards to plans for redevelopment of the application site.
- 4.4 As set out within the accompanying Statement of Community Engagement, the public consultation for the application site has comprised:
- A meeting with the Caversfield Parish Council to obtain their views on the proposals;
 - A newsletter sent to all properties within Caversfield explaining the plans and how people could comment;
 - Attached to the newsletter was a feedback postcard, that residents could return via freepost with their opinions and suggestions;
 - A special preview session of the proposals was held for local Cherwell District Council Members and Members of the Planning Committee, County Councillors and Parish Councillors before the plans were shown to the public;
 - A public exhibition of the development plans was held at the Red Lion public house on 18th April 2013. At the exhibition, information about the proposals was displayed and feedback forms were distributed to attendees;
 - A freephone information line managed during office hours with an 'out of hours' answerphone service.
- 4.5 In addition to engaging with the local community, numerous attempts were made to meet with Officers of Cherwell District Council to discuss the development proposals. Regrettably Officers of the District Council did not agree to meet at any stage in the evolution of the proposals, despite the

requirements to work collaboratively, as set out within the National Planning Policy Framework.

4.6 As a result of the public consultation undertaken, key issues have been identified arising from the development proposals:

- Traffic / congestion;
- Overdevelopment;
- New amenities for Caversfield;
- Affordable housing.

4.7 These matters have been given careful consideration in the evolution of the scheme culminating in the proposals as formally submitted for determination by Cherwell District Council.

5. Planning Policy

5.1 The application should be determined in accordance with the Development Plan unless material considerations indicate otherwise in accordance with Section 38(6) of the Planning and Compulsory Purchase Act.

i) National Planning Policy

5.2 The National Planning Policy Framework was published in March 2012 and replaces all of the planning policy guidance notes and planning policy statements that were previously in force.

5.3 At the heart of the NPPF is a need to achieve sustainable development. Paragraph 7 makes clear that there are three dimensions to sustainable development; an economic role contributing to building a strong, responsive and competitive economy by ensuring that sufficient land of the right type is available in the right places and at the right time; a social role supporting strong, vibrant and healthy communities by providing the supply of housing required to meet the needs of present and future generations; and an environmental role contributing to protecting and enhancing our natural, built and historic environment.

5.4 Paragraph 14 goes further, stating that a golden thread running through both plan making and decision taking is a presumption in favour of sustainable development. For decision taking this means:

- Approving development proposals that accord with the Development Plan without delay; and
- Where the Development Plan is absent, silent or relevant policies are out of date, granting permission unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the NPPF or specific policies in the NPPF indicate that development that should be restricted.

5.5 Paragraph 17 sets out core planning principles which underpin both plan making and decision taking. These include, inter alia:

- Planning not simply being about scrutiny, but instead be a creative exercise in finding ways to enhance and improve the places in which

people live their lives;

- Proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs, and in so doing every effort should be made objectively to identify and then meet the housing, business and other development needs of an area, and respond positively to wider opportunities for growth;
- Always seek to secure high quality design and a good standard of amenity for all existing and future occupants;
- Contribute to conserving and enhancing the natural environment and reducing pollution;
- Promote mixed use developments and encourage multiple benefits from the use of land in urban and rural areas;
- Actively manage patterns of growth to make the fullest possible use of public transport, walking and cycling, and focus significant development in locations which are or can be made sustainable.

5.6 In seeking to build a strong, competitive economy, Paragraph 19 states that the Government is committed to ensuring that the planning system does everything it can to support sustainable economic growth, and the planning system should operate to encourage and not act as an impediment to sustainable growth. Consequently significant weight should be placed on the needs to support economic growth through the planning system.

5.7 Indeed, investment in business should not be over-burdened by the combined requirements of planning policy expectations (Paragraph 21).

5.8 Section 4 of the NPPF relates to transport and paragraph 29 states that the transport system needs to be balanced in favour of sustainable transport modes although there is recognition that different solutions will be required and will vary from urban to rural areas.

5.9 Turning to consider housing, Paragraph 47 requires the supply of housing to be significantly boosted. This includes providing sufficient sites for five years' worth of housing against a Councils housing requirements, with an additional buffer of 5% (moved forward from later in the plan period) to ensure choice and competition in the market for land. Where there has been a record of persistent under delivery of housing, local planning authorities should increase the buffer to 20% (moved forward from later in the plan period) to provide a

realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land;

5.10 Paragraph 49 states:

“Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites”.

5.11 In relation to design, the Government attaches great importance to the design of the built environment. Good design is a key aspect of sustainable development, is indivisible from good planning, and should contribute positively to making places better for people (Paragraph 56).

5.12 In accordance with Paragraph 73, access to high quality open spaces and opportunities for sport and recreation can make an important contribution to the health and wellbeing of communities.

5.13 In seeking to conserve and enhance the natural environment, Paragraph 109 states that the planning system should contribute to and enhance the natural and local environment, by inter alia, minimising impacts on biodiversity and providing net gains in biodiversity where possible.

5.14 In terms of decision taking, Paragraph 186 states that Local Planning Authorities should approach decision taking in a positive way to foster the delivery of sustainable development, whilst Paragraph 187 makes clear that Local Planning Authorities should look for solutions rather than problems, and decision takers at every level should seek to approve applications for sustainable development where possible.

5.15 Finally, in relation to implementation Annexe 1 sets out at Paragraph 208 that the policies in the NPPF apply from the day of publication. Paragraph 214 states that for twelve months from the day of publication decision takers may continue to give full weight to relevant policies adopted since 2004, even if there is a limited degree of conflict with the NPPF. Paragraph 215 states that in other cases and following this twelve month period, due weight should be given to relevant policies in existing plans according to their degree of

consistency with the NPPF (the closer the policies in the plan to the policies in the NPPF, the greater weight that may be given).

- 5.16 Paragraph 216 goes on to state that from the day of publication decision takers may also give weight to relevant policies in emerging plans according to the stage of preparation of the emerging plan – the more advanced the preparation, the greater the weight that may be given.

ii) The Development Plan

- 5.17 The Development Plan for Cherwell District includes the adopted Local Plan (1996). In addition, the Council determine planning applications in accordance with the non-statutory Cherwell Local Plan (2011). In order to provide an up to date policy Framework, the Council are currently preparing a Local Plan (formerly Core Strategy) and a Masterplan for Bicester both of which have recently been the subject of public consultation.

- 5.18 In respect of the **Adopted Local Plan**, this covered the period up to 2001. It is therefore time- expired and is now 12 years beyond its end date. It pre-dates not only the National Planning Policy Framework, but also many of the Planning Policy Guidance Notes and Planning Policy Statements that were cancelled as a consequence of the NPPF. A draft of the adopted Local Plan was first published over 20 years ago. Its policies and approach therefore relate to a point in time that has long since passed.

- 5.19 Policy H5 sets out that where there is a demonstrable lack of affordable housing to meet local needs, the District Council will negotiate with developers to secure an element of affordable housing in substantial new residential development schemes.

- 5.20 In respect of transportation matters, Policy TR1 states that before proposals for development are permitted the Council will require to be satisfied that new highways, or highway improvement works, that will be required as a consequence for allowing the development to proceed will be provided.

- 5.21 Policy TR5 requires necessary parking, servicing and manoeuvring areas to be provided within sites to serve the development proposed, and include appropriate measures to minimise the visual impact of vehicles and parking areas.

- 5.22 Vehicular access to new residential areas should be provided as part of a hierarchical system of roads to ensure low traffic speeds, safety, adequate access for service and emergency vehicles, economy in the use of land and visual interest in accordance with Policy TR9.
- 5.23 In terms of nature conservation, Policy C1 states that the Council will seek to promote the interests of nature conservation, and developments which will result in damage will not normally be permitted.
- 5.24 Policy C4 states that the Council will seek to promote the creation of new habitats wherever possible.
- 5.25 In terms of landscape conservation, in accordance with Policy C7 developments will not be permitted if it would cause demonstrable harm to the topography and character of the landscape. Beyond the existing and planned limits of Bicester development of a type, size or scale that is incompatible with a rural location will normally be resisted (Policy C9). Policy C16 sets out broadly similar provisions.
- 5.26 In terms of design, Policy C28 states that control will be exercised over new development to ensure that the standards of layout, design and external appearance are sympathetic to the character of the urban or rural context of that development.
- 5.27 Policy C30 sets out provisions in respect of design control, addressing matters including appearance, character, layout, scale and density.
- 5.28 Recognising the out of date nature of the adopted Local Plan, the Council have prepared a **Non-Statutory Local Plan**. This is utilised for Development Control purposes but is not adopted. Works ceased on the preparation of the replacement Local Plan in December 2004, part of the justification put forward by the Council for ceasing work on the Plan is that it would have been out of date had it been adopted as a replacement Local Plan. Even if the Plan had been progressed, it would have had an end-date to 2011 and would therefore now be time-expired.
- 5.29 Policy H1A sets out criteria for the location of new housing. This includes consideration being given to the availability of previously developed sites, the location and accessibility of the proposal, the capacity of existing and

potential infrastructure, the ability to build communities, and the physical and environmental constraints on the development of land.

- 5.30 Policy H2 sets out the plan, monitor and manage approach, with a reassignment of allocated sites to different phases of Plan, or allocation of further land should it be required.
- 5.31 In order to make efficient use of land the Council will require new residential development to be built at an average net density of not less than 30 dwellings per hectare in accordance with Policy H3. Policy H4 requires a variety of dwellings in terms of their size, type and affordability. Policy H7 reinforces this policy, requiring an element of affordable housing to meet local needs where there is a demonstrable lack of provision.
- 5.32 Paragraph 3.71 notes the importance of Bicester in delivering substantial housing to meet the requirements of the Plan.
- 5.33 Road safety is addressed in Policy TR5. This sets out that the Council will need to be satisfied that there is no conflict between the vehicles and pedestrians, cyclists and people with sensory and mobility impairments in new developments. Parking, servicing and manoeuvring is expected to be provided for within development sites in accordance with Policy TR11.
- 5.34 Turning to consider nature conservation, Policy EN22 requires proposals to incorporate features of nature conservation value within a development site, and features of value should be retained and enhanced wherever possible. Policy EN34 states that the Council will seek to conserve and enhance the character and appearance of the landscape through the control of development.
- 5.35 Urban design objectives are set out at Policy D1. This allows for development provided that it demonstrates local distinctiveness, continuity and enclosure, attractive public spaces and routes, permeability, legibility, adaptability and diversity.
- 5.36 Proposals for development that reflects or interprets the locally distinctive character of the site and its context will be permitted in accordance with Policy D3. The design of public realm is set out a Policy D5.
- 5.37 In terms of energy efficient design, Policy D9 states that the Council will seek to

ensure that energy efficiency design principles are incorporated in terms of urban form, siting of buildings and soft landscaping and ensuring that all residential development has access to some private or semi-private outdoor space.

- 5.38 In order to provide for an up to date Development Plan, the Council have embarked upon the preparation of a Local Development Framework.
- 5.39 The **proposed submission Local Plan** is reasonably well advanced but has yet to be submitted for Examination, nor independently scrutinised and tested by an Inspector to determine Soundness. The weight to be attributed to the emerging Plan should therefore be limited in this context.
- 5.40 Policy BSC1 sets out the district wide housing distribution. This equates to 670 new homes per year equating to 16,750 new homes in the Plan period to 2031. Of this provision, Bicester is intended to deliver 6,997 new homes, equating to approximately 42% of the overall housing provision recognising the significant sustainability credentials of Bicester as a location for growth.
- 5.41 Policy BSC2 sets out the need for effective and efficient use of land, requiring housing to be developed at a density of not less than 30 dwellings per hectare.
- 5.42 Affordable housing is required at 30% in accordance with Policy BSC3. Policy BSC4 sets out provisions in respect of housing mix with a focus upon the provision of family housing of 2, 3, 4 and 5 bedroom size.
- 5.43 New proposals are required to contribute towards open space, sport and recreation provision commensurate with the need generated by the proposals in accordance with Policy BSC10.
- 5.44 In accordance with Policy ESD16, new development will be expected to complement and enhance the character of its context through sensitive siting, layout and high quality designs.
- 5.45 In order to deliver the significant housing requirements identified at Bicester, a number of policies identify strategic development sites, and the quantum of development expected to be delivered in order to meet the Plan requirements.

- 5.46 In order to expand upon the provisions of the emerging Local Plan, the Council have produced a **draft Bicester Masterplan Supplementary Planning Document**. Like the Local Plan, the SPD remains in draft and is yet to be adopted.
- 5.47 The SPD is in general conformity with the emerging Local Plan and reconfirms the strategic locations for growth in order to meet the significant housing requirements at Bicester.
- 5.48 It is important to note that in preparing the Masterplan for the Council, WYG indicated that Caversfield already formed part of the Bicester urban area.

The Case for Redevelopment of the site

6.1 This section of the report sets out the case for redevelopment of the site. It is considered that the key issues raised in relation to the principle of development are as follows:

1. Location of Development;
2. General Development Considerations;
3. Section 106 offer; and
4. The Planning Balance

6.2 As set out in Section 5 above, the principal determining factor in relation to this planning application is the Development Plan having regard to Section 38(6) of the Planning and Compulsory Purchase Act 2004. The NPPF is a significant material consideration which weighs in the balance, particularly where Development Plan policies do not have a degree of consistency with it.

1) Location of Development

6.3 Cherwell District is a predominantly rural area. It contains a significant number of hamlets and smaller settlements, with only a small number of urban areas. Bicester is one such urban area and is arguably the largest and most sustainable of all the locations in the District.

6.4 The Council recognise this. The emerging Plan strategy identifies Bicester as a key location for growth. 42% of all new housing is identified at Bicester. The success of the emerging Plan will, to a great extent, be determined by the extent to which Bicester delivers the necessary growth in housing required to 2031.

6.5 At this time, the Council are failing in their duty to deliver much needed housing. The strategic sites at Bicester are not being brought forward in a timely manner and housing delivery is faltering. This is undermining the Plan strategy, failing the provisions of the NPPF, and in consequence the Council are not able to demonstrate a 5 year plus 20% buffer supply of deliverable sites.

6.6 The situation is compounded by the Council having an out of date Local Plan, which expired in 2001; a Non-Statutory Local Plan which has not been independently tested and in any event would have time-expired in 2011, and

an emerging Plan itself yet to be independently tested for Soundness and some way from adoption.

- 6.7 Given the current status of the development plan and a deficit in the five year land supply, in terms of the suitability of the location, the NPPF includes a presumption in favour of sustainable development and states that **where the development plan is absent, silent or relevant policies are out-of-date, planning permission should be granted unless “any adverse impacts if doing so would significantly and demonstrably outweigh the benefits, when assessed against the policies in [the] Framework taken as a whole” (Paragraph 14).** There can be no dispute that a plan adopted in 1996 and now well beyond its end date must be regarded as being out of date. Consequently, the planning balance, as required by Paragraph 14 of the NPPF, must be undertaken.
- 6.8 In addition, in policy terms the NPPF requires the supply of housing to be significantly boosted (Paragraph 47). This includes providing sufficient housing for five years' worth of supply with an additional buffer of 20% to provide a realistic prospect of achieving the planned supply and to ensure choice and competition in the market for land.
- 6.9 Furthermore, the NPPF goes further at paragraph 49 stating:
- “Housing applications should be considered in the context of the presumption in favour of sustainable development. Relevant policies for the supply of housing should not be considered up to date if the local planning authority cannot demonstrate a five year supply of deliverable housing sites”.***
- 6.10 It is the case that the Council are unable to demonstrate a five year supply of deliverable sites when assessed against the strategic housing requirement.
- 6.11 Having established that the Development Plan is out of date (both in terms of its adoption date in 1996 and now being time-expired); and the Council are unable to demonstrate a five year (plus 20% buffer) supply of deliverable housing sites in accordance with the Framework, Paragraph 14 is engaged.
- 6.12 The test for the Council is, as a consequence, to approve this development without delay unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in the

Framework taken as whole, or specific policies in the Framework indicate development should be restricted.

- 6.13 In terms of whether development should be restricted, footnote 9 to Paragraph 14 of the Framework sets out a range of policy designations where development should not take place. In respect of the application site, none of these apply.
- 6.14 The remainder of this statement therefore considers whether there are any adverse impacts arising from the development, and if any adverse impacts are identified, whether these would be so significant as to demonstrably outweigh the benefits of delivering housing.

2) General Development Considerations

- 6.15 As set out earlier within this statement, the proposals have been the subject of environmental surveys and assessment in order to test the implications for development and ensure compliance with other parts of the Development Plan.
- 6.16 Separate reports are enclosed with the application and the proposals should be read in conjunction with these survey assessment reports.
- 6.17 For ease of reference these are summarised below:-

Noise Assessment

- 6.18 A Noise Assessment was prepared by Cundall in March 2013.
- 6.19 Attended daytime and night-time noise surveys were carried out. The dominant noise sources were road traffic on the adjacent roads, distant road traffic on the B4100 and noise from small aircraft based out of the nearby airfield.
- 6.20 Based on the measured noise levels, glazing and ventilation sound attenuation values have been specified.
- 6.21 With mitigation, the report demonstrates acceptable external and internal noise levels can be achieved for residents.

Ecology Assessment

- 6.22 An ecological assessment has been undertaken by FPCR with reference to an extended Phase I survey and protected species survey. This included GCN surveys on the application site and adjoining land.
- 6.23 There will be areas of existing semi-improved grassland and scrub habitats lost as a result of the development.
- 6.24 However, the report demonstrates that the proposals will have no adverse impact upon protected species nor important habitat, and that the full range of protected species surveys has been undertaken in the correct survey season.
- 6.25 It is considered that the proposed scheme will ensure that biodiversity is maintained and enhanced, in particular through the retention of the features which are of biodiversity value, and where features of biodiversity value are to be lost these are to be mitigated for through new planting and enhancement of retained habitats, including in relation to GCN's.

Transport Assessment

- 6.26 MJA were commissioned to undertake a transport assessment and travel plan to accompany the proposals.
- 6.27 The site has been found to have reasonable access to nearby amenities using sustainable transport modes of transportation and there are no apparent road safety issues within the vicinity of the site that would be exacerbated by the proposed development.
- 6.28 Capacity assessments have been undertaken in relation to a range of junctions along the network, in accordance with the SATURN model, as agreed with the County Council.
- 6.29 The conclusion reached is that none of the traffic or transport impacts can be considered as severe, and the package of measures proposed are far more than would normally be required to support the development. There are no reasons to refuse the development on traffic or transportation grounds.

- 6.30 The accompanying residential Travel Plan will further help to reduce the impact of the proposed development to levels below that predicted within the Transport Assessment.

Arboricultural Assessment

- 6.31 Ruskin's were commissioned to carry out a tree condition survey.
- 6.32 The site was surveyed on a detailed inventory of the trees undertaken. The survey provides quantitative data on tree species, height, diameter, crown spread, age class and a brief qualitative assessment on tree condition and future potential.
- 6.33 In respect of the proposed development, the report notes that there will be a need to retain the boundary vegetation and better quality trees. The surrounding vegetation will help define the site boundary and will provide a screen to the site. The retained trees at the centre are considered to have some merit and will be retained as part of the proposal.

Archaeological Assessment

- 6.34 Thames Valley Archaeological Surveys undertook a geophysical survey in June 2013.
- 6.35 The results of the survey indicate that there are no significant archaeological implications for the site that would indicate either that development should not proceed, or that the layout should be informed by archaeological remains.

Landscape Assessment

- 6.36 Define undertook a landscape visual appraisal in June 2013.
- 6.37 In terms of landscape character appraisal, it has been identified that the Oxfordshire Estate Farmlands character area lends itself more to the site and its context to the north, with that of Otmoor Lowlands being more applicable to the south. The site itself is too small to be considered to have any defining characteristics other than it contributes to the overall defining character of the surrounding countryside and urban fringe.

- 6.38 The characteristics of the existing landscape is that of strong vegetation forms through hedgerows and tree blocks, enclosing the landscape and providing limited opportunities for expansive views. Therefore, further enclosure with the site by strengthening the sites weak boundaries would not be detrimental to the character of the local area.
- 6.39 In terms of visual amenity appraisal, due to the topography of the study area in combination with the extensive vegetation cover, views of the site are restricted to a number of limited locations within 300 metres of the site. Long and more distant views are almost non-existent and where available, development of the site would have little impact on the visual amenity.
- 6.40 Mitigation proposals have been incorporated within the accompanying illustrative Masterplan.

Flood Risk / Drainage Assessment

- 6.41 MJA were instructed to prepare an assessment in relation to flood risk and drainage.
- 6.42 The site is identified as being in the Flood Zone 1, being at the lowest risk. No sources of flooding were identified on the site including that from ground water, rivers and water courses, overland runoff, artificial sources and flooding from surcharging within existing and proposed sewer networks.
- 6.43 The ground investigation results indicate that shallow soakaway drainage is likely to be suitable to enable infiltration to ensure the entire survey water runoff from the development for all storm events up to and including the 1 in 100 year plus 30% climate change.
- 6.44 The proposed surface water strategy is to utilise the infiltration within the substrata where possible. Infiltration is a SuDS technique that enables storm water to be dealt with at source rather than discharging into an offsite sewer network, or water course.

3) Section 106 offer

- 6.45 It is acknowledged that this proposal meets or exceeds the thresholds for a range of community infrastructure to be secured by way of a Section 106 agreement.

- 6.46 The precise range and quantum of requirements will be established through the formal consultation process. The applicants have confirmed their intention to deliver an engrossed Section 106 agreement within the statutory 13 week determination period in order to secure such matters.
- 6.47 Provided that the community infrastructure requested by the council is relevant to planning; necessary to make the proposed development acceptable in planning terms, directly related to the proposed development; fairly and reasonably related in scale and kind to the development; and reasonable in all other respects, the applicants are content to accept in principal contributions/on site provision to secure the following:
- 30% Affordable housing.
 - Education contributions.
 - Provision of open space.
 - Transport enhancement contributions.
- 6.48 In addition, and as shown on the submitted Masterplan, community facilities are being provided for in the form of a village hall or similar.

4) The Planning Balance

- 6.49 As set out earlier within this statement, it is the case that the Council have an out of date Development Plan both in terms of the date of adoption (1996) and in the context of the Local Plan being time-expired.
- 6.50 In addition, the Council are unable to demonstrate a five year (plus 20% buffer) supply of deliverable housing sites.
- 6.51 In these terms Paragraph 14 of Framework is engaged and for decision taking this means that the Council should approve this development, unless any adverse impacts of doing so would significantly and demonstrably outweigh the benefits.
- 6.52 The Paragraph 14 tests require a planning balance to be made in order to come to a judgement as to whether development should be approved.
- 6.53 In this regard, and considering firstly whether there are any adverse impacts to arise from the development, the proposals have been the subject of thorough

environmental and technical testing. This work indicates that there will be no adverse impacts in respect of ecology, arboriculture, and flood risk / drainage.

- 6.54 Minor adverse impacts are identified in respect of transport and landscape matters. These minor adverse impacts can, for the most part, be mitigated against.
- 6.55 In contrast, turning to the benefits to arise from this proposal, these are significant.
- 6.56 Firstly, the provision of much needed, immediately delivered market and affordable housing is a significant plank of the Framework and is a key benefit to arise from these proposals.
- 6.57 Numerous Inspectors' on appeal have had significant regard to housing delivery in respect of the planning balance.
- 6.58 Secondly, the ecological assessment undertaken clearly demonstrates that there will be biodiversity enhancement as a result of these proposals.
- 6.59 Thirdly, in respect of drainage the outline surface water drainage strategy will incorporate sustainable drainage techniques which will provide betterment to the existing situation and reduce surface water runoff rates from the site for storm return periods of up to the 1 in 100 year event, allowing for the effects of climate change.
- 6.60 Fourthly, the proposals will support the three dimensions to sustainable development, as set out at Paragraph 7 to the Framework as follows:
- An economic role – the scheme will contribute to a growing village economy, by ensuring that the well located site is of the right type and place improving the existing infrastructure at this part of Bicester.
 - A social role – the scheme will support an existing strong, vibrant and healthy community by providing the supply of housing required to meet the needs of present and future generations; and by creating a high quality environment, with accessible local services that reflect community's needs and support its health, social and cultural well-being.
 - An environmental role – the scheme will contribute to protecting,

enhancing and replicating where possible the existing built and historic environment; and, as part of this, helping to improve biodiversity, use natural resources prudently, minimise waste and pollution, and mitigate and adapt to climate change.

- 6.61 These benefits are both wide ranging and substantial. The harm that has been identified is considered to be minor. The harm would not be significant and would not demonstrably outweigh the benefits when assessed against the policies in the Framework taken as whole.
- 6.62 The proposal must be considered in the context of the Framework's presumption in favour of sustainable development. Not only do the adverse impacts fail to significantly and demonstrably outweigh the benefits of the proposal, but the benefits significantly and demonstrably outweigh the minor adverse impacts.
- 6.63 Consequently, the clear planning balance is in favour of permitting the development proposed.

7. Summary and Conclusion

- 7.1 This report has set out a description of the site and has provided a summary of the development proposed.
- 7.2 The key aspects of the Development Plan and other planning policy have been set out, together with the important provisions of statute in terms of the weight to be attributed to policy and other material considerations. In this instance significant weight must be attributed to the NPPF and the requirement to boost the supply of housing given the Development Plan is out of date and the Council are unable to demonstrate a five year (plus 20% buffer) supply of deliverable housing sites.
- 7.3 The principle of development has been assessed in relation to a range of issues principally in the context of the NPPF Paragraph 14 tests.
- 7.4 In terms of the timing of a planning application, it has been shown that this is entirely acceptable in advance of the Local Development Framework on the basis of housing supply issues and the out of date nature of the Development Plan. It has been shown that the council cannot demonstrate a five year plus 20% buffer supply of deliverable sites, and by reference to case law, the importance of bringing residential proposals forward in advance of the Local Development Framework in this context is highly important.
- 7.5 In terms of the Planning balance and in line with the NPPF 'presumption in favour of sustainable development' the application will not create any significant adverse impacts that would outweigh the benefits, when assessed against the policies in the NPPF.
- 7.6 General housing policy has been assessed and the proposals have been shown to accord with the Development Plan.
- 7.7 Consultation outputs have been discussed and it has been shown that the proposals have been amended to respond constructively to the pre-application advice received.
- 7.8 The applicant is committed to the delivery of an appropriate package of community infrastructure to be secured by way of a Section 106 agreement.

7.9 In these terms it is concluded that the principle and detail of development is entirely acceptable and the Council are respectfully requested to support this proposal and grant planning permission subject to safeguarding conditions and a Section 106 agreement.