

DEVELOPMENT INTERNAL MEMORANDUM

From: Head of Strategic Planning and the Economy

To: Head of Public Protection & Development Management (FAO)

Our Ref: 3.2

Your Ref: 14/00008/SCOP

Ask for: Sharon Whiting

Ext: 1848

Date: 12 November 2014

SCOPING OPINION PLANNING POLICY CONSULTATION RESPONSE

Planning Application No.	14/00008/SCOP
Address / Location	Land between Birmingham London railway line and Gavray Drive Bicester
Proposal	SCOPING OPINION- Proposed residential development (including affordable housing) public open space, localised land remodelling, structure planting and retention of the local wildlife site.
Site Details	The scoping opinion relates to an area of approximately 15.73 ha of undeveloped land located between Gavray Drive and the Birmingham to London railway line. The town's eastern ring road forms the eastern boundary of the site and the site extends to the watercourse in the west. Land to the west of the watercourse is the subject of 14/00009/SCOP.
General Comments	The submission proposes 160 dwellings on the site. Part of the site comprises Gavray Drive Meadows Local Wildlife Site and the majority of the site lies within the Ray Conservation Target Area. An area of land in the west of the site adjacent to the watercourse lies within flood zones 2 and 3. A public footpath crosses the site, which demarcates the southern boundary of the Conservation Target Area.
Main Development Plan Policies	The adopted Cherwell Local Plan 1996 indicated the site as being part committed and part proposed for employment development under policy EMP 1.
NPPF	The paragraphs of the NPPF most relevant to this submission are 103, 109, and 128.
NPPG	Paragraph 040 of the NPPG indicates which aspects of the environment need to be considered in preparing an Environmental Statement.
Non-Statutory Cherwell Local Plan 2011	The Non-Statutory Cherwell Local Plan 2011 indicated part of the site as being retained as a County Wildlife Site, and proposed part of the site for employment development under policy EMP1. This policy has been superseded by those of the Submission Local Plan as Proposed to be Modified (October 2014).
Submission Local	A new Local Plan was submitted to the Secretary of State on 31 January

Plan 2011-2031 As Proposed To Be Modified (August 2014)

2014 for Examination. There are outstanding objections to some policies which have yet to be resolved. The Examination was suspended on 4 June 2014 to enable the Council to propose modifications to the plan involving increased new housing delivery over the plan period to meet the full, up to date, objectively assessed, needs of the district, as required by the National Planning Policy Framework (NPPF) and based on the Oxfordshire Strategic Housing Market Assessment 2014 (SHMA). The Council consulted on Proposed Modifications to the Plan (22 August – 3 October 2014) and representations received were considered by Council on 20th October 2014. The Proposed Modifications were submitted to the Secretary of State for Communities and Local Government on 21st October 2014. The Examination is scheduled to recommence on 9th December.

Main Modifications 89, 90 and 91 proposed the inclusion of new policy Bicester 13 in the plan, identifying this land and land to the west as a proposed strategic housing allocation for 300 dwellings.

Representations received to the proposed modifications indicated that the site is highly valued for its historical and ecological significance and is well used for informal recreation purposes by local people.

Having considered representations received on the proposed modifications the Council resolved to approve further minor modifications to proposed Policy Bicester 13 and the supporting text for submission to the Secretary of State, subject to officers seeking the designation of that part of the Ray Conservation Target Area lying within the site as a "Local Green Space" within the meaning of paragraph 76 of the NPPF.

Proposed Policy Bicester 13 and supporting text as submitted is as follows:

C.101a The majority of the site is part of the River Ray Conservation Target Area. Part of the site is a local wildlife site and is situated to the east of Bicester town centre. It is bounded by railway lines to the north and west. The site comprises individual trees, tree and hedgerow groups, and scrubland/vegetation. The Langford Brook water course flows through the middle of the site.

C.101b ~~The western part of the site may include improved grassland (a BAP priority habitat). The central and eastern section of the site contains lowland meadow, a~~ There is an additional BAP priority habitat which is a lowland meadow in the centre of the site. There are a number of protected species located towards the eastern part of the site. There are several ponds and a small stream, known as the Langford Brook, which runs from north to south through the middle of the site. A range of wildlife has been recorded including butterflies, great crested newts and other amphibians, reptiles, bats and birds.

There are risks of flooding on some parts of the site therefore mitigation measures must be considered. There is also a risk of harming the large number of recorded protected species towards the eastern part of the site. Impacts need to be minimised by any proposal. Approximately a quarter of the site is within Flood Zones 2 and 3 therefore any development would need to be directed away from this area.

Although there are a number of known constraints such as Flood Zone 3,

River Ray Conservation target Area and protected species, this could be addressed with appropriate mitigation measures by any proposal.

Policy Bicester 13 – Gavray Drive

Development Area: 23 hectares

Development Description - a housing site to the east of Bicester town centre. It is bounded by railway lines to the north and west and the A4421 to the east

Housing

- Number of homes - 300 dwellings
- Affordable Housing - 30%

Infrastructure Needs

- Education – Contributions sought towards provision of primary and secondary school places;
- Open Space – to include general greenspace, play space, allotments and sports provision as outlined in Policy BSC11: Local Standards of Provision- Outdoor Recreation. A contribution to off-site formal sports provision will be required.
- Community – contributions towards community facilities
- Access and movement – from Gavray Drive.

Key Site Specific Design and Place Shaping Principles

- Proposals should comply with Policy ESD16
- A high quality development that is locally distinctive in its form, materials and architecture. A well designed approach to the urban edge which relates to the road and rail corridors.
- That part of the site within the Conservation Target Area should be kept free from built development. Development must avoid adversely impacting on the Conservation Target Area and comply with the requirements of Policy ESD11 to secure a net biodiversity gain.
- Protection of the Local Wildlife Site and consideration of its relationship and interface with residential and other built development
- Detailed consideration of ecological impacts, wildlife mitigation and the creation, restoration and enhancement of wildlife corridors to protect and enhance biodiversity. The preparation and implementation of an Ecological Management Plan to ensure the long- term conservation of habitats and species within the site to be agreed with the Council in-consultation with local biodiversity interest groups.-
- ~~Development proposals to be accompanied by a landscape and visual impact assessment together with a heritage assessment~~ Development proposals to be accompanied and influenced by a landscape and visual impact assessment and a heritage impact assessment.
- The preparation of a structural landscaping scheme, which incorporates and enhances existing natural features and vegetation. The structural landscaping scheme should inform the design principles for the site. Development should retain and enhance significant landscape features (e.g. hedgerows) which are or have the potential to be of ecological value. A central

area of open space either side of Langford Brook, incorporating part of the Local Wildlife Site and with access appropriately managed to protect ecological value. No formal recreation within the Local Wildlife Site.

- Provision of public open space to form a well connected network of green areas within the site, suitable for formal and informal recreation
- Provision of Green Infrastructure links beyond the development site to the wider town and open countryside
- Retention of Public Rights of Way and a layout that affords good access to the countryside
- New footpaths and cycleways should be provided that link with existing networks, the wider urban area and schools and community facilities. Access should be provided over the railway to the town centre.
- A linked network of footways which cross the central open space and connect Langford Village, Stream Walk and Bicester Distribution Park.
- Ensure that there are no detrimental impacts on downstream Sites of Special Scientific Interest through hydrological, hydro chemical or sedimentation impacts
- A layout that maximises the potential for walkable neighbourhoods and enables a high degree of integration and connectivity between new and existing communities
- A legible hierarchy of routes to encourage sustainable modes of travel. Good accessibility to public transport services with local bus stops provided. Provision of a transport assessment and Travel Plan
- Additional bus stops on the A4421 Charbridge Lane will be provided, with connecting footpaths from the development. The developers will contribute towards the cost of improving bus services in the wider South East Bicester area.
- Provision of appropriate lighting and the minimisation of light pollution based on appropriate technical assessment
- Provision of public art to enhance the quality of the place, legibility and identity.
- Demonstration of climate change mitigation and adaptation measures including exemplary demonstration of compliance with the requirements of policies ESD 1 – 5
- Take account of the Council's Strategic Flood Risk Assessment for the site
- Consideration of flood risk from Langford Brook in a Flood Risk Assessment and provision of an appropriate buffer. Use of attenuation SuDS techniques (and infiltration techniques in the south eastern area of the site) in accordance with Policy ESD 7: Sustainable Drainage Systems (SuDS) and taking account of the Council's Strategic Flood Risk Assessment
- Housing must be located outside Flood Zone 3 and the principles set out in Policy ESD 6: Sustainable Flood Risk Management will be followed.
- The provision of extra-care housing and the opportunity for community self-build affordable housing An archaeological investigation to inform an archaeological mitigation scheme as required
- An archaeological field evaluation to assess the impact of the development on archaeological features
- A detailed survey of the agricultural land quality identifying the best and most versatile agricultural land and a soil management plan.

	<p>In addition, the requirements of Policies ESD6, ESD7, ESD10 and ESD11 are particularly relevant to this proposal.</p>
<p>Overall Policy Observations</p>	<p>The topic areas listed appear to cover those aspects which need to be considered as part of the Environmental Statement. This scoping opinion together with scoping opinion 14/00009/SCOP on adjacent land to the north west, proposes a total of 340 dwellings on the area of land identified in Policy Bicester 13, whereas the policy indicates a total of 300 dwellings. However whilst the illustrative Masterplan forming part of this submission does not indicate built development within the Local Wildlife Site, it does show built development on part of the Conservation Target Area to achieve a total of 160 dwellings, contrary to the requirements of policy Bicester 13.</p>
<p>Policy Recommendation</p>	<p>I am aware that due to the delay in forwarding this response a Scoping Opinion has already been issued, which includes the main issues of relevance for inclusion within the ES from a policy viewpoint. Attention is drawn to the requirements of proposed Policy Bicester 13 in particular in relation to biodiversity, (including impact on the Local Wildlife Site and Conservation Target Area and securing a net gain in biodiversity), landscape and visual impact, heritage impact, hydrology and flood risk and the need to ensure that the ES adequately addresses these issues in order that the likely significant impacts of the proposed development can be determined. Attention is also drawn to the Council resolution on 20th October instructing officers to seek the designation of that part of the Ray Conservation Target Area lying within the site as a “Local Green Space” within the meaning of paragraph 76 of the NPPF in recognition of the representations received to the proposed modifications to the Local Plan which illustrate the value of the site to local residents.</p>