

Gavray Drive West

BICESTER

PLANNING STATEMENT

incorporating:

Affordable Housing Statement

Open Space Statement

Sustainability Statement

Draft S106 Heads of Terms

Statement of Community Involvement

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Prepared by

David Lock Associates Ltd

on behalf of **Gallagher Estates Ltd**

Charles Brown

and **Simon Digby**

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1.0 INTRODUCTION

1.1 This Planning Statement is prepared on behalf of Gallagher Estates, Charles Brown and Simon Digby (“the applicants”) in support of an outline planning application (OPA) for residential development at Gavray Drive – West, Bicester. The site is part of the wider Gavray Drive area. The purpose of the Planning Statement is to describe and assess the proposals against adopted and emerging planning policy and conclude on the suitability of the proposals.

1.2 In accordance with Cherwell District Council's (CDC) Validation Checklist (2013), the Planning Statement includes reference to affordable housing provision, open space, sustainability and draft S106 heads of terms. The Planning Statement has been prepared by David Lock Associates.

Application Proposals

1.3 The Main Modifications to the Cherwell Local Plan (2014) allocates land at Gavray Drive, Bicester for 300 dwellings. This Outline Planning Application (OPA) covers part of that wider allocation which is defined by Gavray Drive, the newly constructed rail chord, the Chiltern Rail Line and A4421 Charbridge Lane. The OPA reserves all matters for subsequent approval except access. The description of development comprises:

Residential development including affordable housing, public open space, localised land remodelling, compensatory flood storage and structure planting.

1.4 The proposals will establish a new sustainable urban neighbourhood forming part of the wider Langford Village. Development will support the growth objectives for Bicester (given added impetus by the government's recent garden city announcement) and the wider Cherwell District. The proposal is in general conformity with Policy Bicester 13 of the emerging Cherwell Local Plan. The OPA proposals are detailed in Section 3.

Applicants and Land Ownership

1.5 The application is submitted by Gallagher Estates, Charles Brown and Simon Digby who have a legal interest in the application site, with the exception of highway land. The land is in agricultural use and unconstrained by previous use or legal arrangements. There are no restrictions on title that will impinge on the planning or implementation of the development. The applicants have committed substantial

resources to the preparation of the proposals for Gavray Drive West and are skilled in the implementation of major strategic developments.

Outline Planning Application Documentation

1.6 The OPA is supported by a suite of supporting information, as required by the relevant CDC validation checklist:

- covering letter;
- planning application form and certificates;
- planning application fee;
- application drawings;
- Design and Access Statement;
- Planning Statement;
- Environmental Statement and Non-Technical Summary;
- Transport Assessment;
- Travel Plan Framework and;
- Flood Risk Assessment.

Principle, Context and Timing of Application

1.7 The OPA is submitted in the context of the Government's commitment to growth and development, contained in the National Planning Policy Framework (NPPF). The NPPF contains a presumption in favour of sustainable development as the golden thread running through the planning system. It introduces a presumption in favour of sustainable development and confirms that *....housing applications should be considered in the context of the presumption in favour of sustainable development* (para 49).

1.8 A fundamental element of sustainable development is the requirement for local planning authorities to provide the supply of housing required to meet the needs of present and future generations. It is a *core planning principle* to....*proactively drive and support sustainable economic development to deliver the homes, business and industrial units, infrastructure and thriving local places that the country needs*" (para 17). It is also a core planning principle to....*boost significantly the supply of housing*" (para 47) and deliver a wide choice of new homes including homes to meet affordable housing needs (para 50).

- 1.9 The applicants are committed to early development. There is no constraint on the construction of new homes thereby meeting the core NPPF objectives. Paragraph 14 provides guidance on how the presumption in favour of sustainable development should apply to decision making on planning applications. Proposals that accord with the development plan are to be approved without delay. Where the development plan is silent or out of date then permission should also be granted unless...*any adverse impacts of doing so would significantly and demonstrably outweigh the benefits when assessed against the policies in this Framework when taken as a whole.*
- 1.10 The Cherwell District Local Plan is out of date. Information submitted with this application demonstrate that no significant adverse impacts arise to be set against the considerable benefits arising from the development. The site is appropriate for the development proposed. Emerging local planning policy provides a positive framework in which to plan development. It provides design and place making objectives that have influenced the evolution of the proposals.
- 1.11 The principle of residential development on Gavray Drive was established in 2006. At that time the Development Plan allocated the site for employment uses. An OPA for 500 units was approved on appeal. That outline consent was subsequently extended in February 2012 under the provisions of the guidance contained in *Greater Flexibility for Planning Permissions*. That decision was ultimately set aside in the High Court following a legal challenge. There is no current planning consent on Gavray Drive. However, the suitability of the site for residential development has been tested at an appeal inquiry and is now confirmed by CDC's subsequent decision to allocate the site as part of a wider strategic residential allocation in the Main Modifications to the Cherwell Local Plan in Policy Bicester 13. This is underpinned by a substantial evidence base.
- 1.12 The proposed development represents a scheme that can be built, unconstrained by landownership or any major constraints. The application package is supported by a comprehensive set of documentation which secures delivery of the necessary infrastructure required to support the proposed development without comprising the delivery of the remainder of Gavray Drive allocation (identified as Gavray Drive – East).

Scoping

- 1.13 An Environmental Impact Assessment (EIA) Scoping Report was sent to Cherwell District Council (CDC) in September 2014 setting out the proposed approach to EIA. In response, CDC provided a scoping opinion on 6 November 2014 (application

number 14/00009/SCOP). This opinion was issued at the same time as a separate scoping opinion for the adjacent site 'Gavray Drive East' (14/00008/SCOP).

- 1.14 CDC's opinion comprised correspondence from consultees. CDC did not indicate whether all comments were reasonable and appropriate. Nevertheless, these detailed comments have been considered and used to guide the approach of the Environmental Statement.

2.0 SITE LOCATION AND CONTEXT

Location

- 2.1 The site location plan identifies the boundary of outline planning application. It is 6.9 hectares in extent. The site is located close to the town centre and north of Langford Village. It is clearly delineated by the new rail chord. Gavray Drive is the southern boundary with Langford Brook defining the eastern boundary.
- 2.2 The wider context for the site is of employment development to the north and west - beyond the rail lines. Langford Village is located to the south with the remaining section of the Gavray Drive allocation to the east. Gavray Drive connects to the A4421 via a roundabout junction.

Physical Characteristics

- 2.3 The site is in agricultural use with limited landscape features. There is a hedge line adjacent to Gavray Drive and one at the western end of the site. One footpath crosses the site in a broadly north to south direction. Views into the site are limited by its contained position adjacent to two railway lines. The main views are from Gavray Drive. The site is not situated within a statutory landscape designation. The site is relatively flat, but it slopes gently from west to east with the low point of the Langford Brook.

Ecology

- 2.4 There are no international, national or other statutory designations on the site. East of the site is a Local Wildlife Site. The River Ray Conservation Target Area extends into the application area but no built development is proposed within it. The proposed layout has taken into account habitats and features of value at an early design stage and seeks to retain and enhance these features.

3.0 DESCRIPTION OF THE PROPOSALS

Physical Design and layout

- 3.1 The application proposals comprise residential development, areas of open space, together with flood attenuation measures. The proposed development will create a sustainable local community, forming part of the wider Langford Village. The development layout and structure has been influenced by the landscape context and topographical features of the site.

Residential Development

- 3.2 The application has tested the development of up to 180 new dwellings. The development will have graduated densities with higher densities in central locations and lower densities at the edge. This will provide variety, character, a range of street scenes, plot designs and house types.
- 3.3 Development will include a mix of 1-4 bedroom properties, including terraces, semi-detached and detached properties and some apartments. Houses will be mainly 2 storey in height, with some 2.5 and perhaps 3 storey dwellings. The approach to design is elaborated in the Design & Access Statement that accompanies the OPA.
- 3.4 Provision will be made for affordable housing, with a mix of tenures encouraging a balanced community. The amount, type and tenure of affordable housing will be subject to negotiation with CDC. Draft Local Plan Policy BSC 3 seeks a target of up to 30% affordable homes, 70% of which are to be social rented affordable dwellings and 30% other types of intermediate affordable homes.

Access and Movement

- 3.5 The Transport Assessment (TA) analyses the transport issues relating to the proposed development and identifies any necessary interventions to mitigate the impacts of the development and seeks to improve accessibility for all modes of travel. The TA takes account of potential cumulative impacts on traffic from committed and prospective schemes under consideration by CDC, including the nearby proposal at South East Bicester. A robust approach has been adopted which ensures that the OPA takes account of potential future development and identifies measures to mitigate traffic impact during the construction phase.

Access & Connectivity Strategy

- 3.6 Vehicular traffic from the development will use Gavray Drive and its roundabout connection with A4421 Charbridge Lane to access the rest of Bicester and beyond. Footpath and cycleway connections are designed to connect the development with the town centre. Routes connect to the new footbridges across the East-West rail line – one at Tubbs Lane and the other in the northwest corner of the site. These will allow residents pedestrian access to the wider area.

Travel Plan

- 3.7 A Framework Travel Plan has been prepared to support the application. It sets out measures to encourage sustainable patterns of movement and travel by working in partnership with local schools and businesses. A range of measures, initiatives and mechanisms is proposed on site once the development is built and the travel demand is fully understood.

Parking

- 3.8 Parking provision will take account of guidance provided in the English Partnerships Manual Car Parking: *What Works Where (2006)* and OCC's Parking Standards for New Residential Development. Final provision will reflect the mix of units and the design principles on-site.

Green Infrastructure and Public Open Space

- 3.9 A significant area of green space is provided between the edge of the built development and the Langford Brook. It includes a play area footpath route and flood attenuation measures.

Open Space Assessment

- 3.10 The main area of open space provision lies at the eastern edge of the site, to complement the course of the Langford Brook and respect the boundary to the Local Wildlife Site. There will be no built development in the River Ray Conservation Target Area.
- 3.11 Open space requirements from emerging Local Plan Policy BSC11, together with the amount of open space provision proposed by the development are set out in the table below. The figures are based on up to 180 homes being built and are multiplied by the

average household size for Cherwell District of 2.45 persons per household (as published in the Interim Household Projections, April 2013. This equates to an estimated population of 441.

Category of Open Space	Draft Cherwell Local Plan	Requirements for development	Amount of POS proposed
General Green Space (overall)	2.40 ha / 1000 rural/edge dwellers	1.05 ha	2.0 ha to include play area
Children/Teen Play Areas	0.78 ha / 1000 people	0.34 ha	

Sustainable Design and Renewable Energy

- 3.12 The applicants are committed to delivering sustainable development, which includes a commitment to building to the appropriate national Building Regulation Standards in force at the time of construction. Site sustainability has played a central role developing the application proposals. The site has been designed to give people the opportunity to choose a healthy and sustainable lifestyle through pedestrian connections and provision of high quality areas of open space. Further information is set out in **Appendix A**.

Flood Risk and Drainage

- 3.13 Environment Agency flood maps show that the site lies within Flood Zones 1, 2 and 3. The NPPF classifies residential infrastructure as *More Vulnerable* and their construction is permitted within Flood Zones 1 and 2. Flooding from groundwater and sewer/drainage sources represent a low flood risk to the site. Surface water flooding is considered to represent a low flood risk to the site.

Floodplain Compensation

- 3.14 The proposed development encroaches within the current 100-year (with climate change) floodplain. A level-for-level floodplain compensation scheme will be provided to take the development outside of the floodplain and ensure water is not displaced elsewhere. An area located along the Langford Brook's western bank and outside of the 100-year floodplain will provide floodplain compensatory volume during the same

flood event. The effect of the proposed level-for-level floodplain compensation scheme on 100-year (with climate change levels) was simulated using the Langford Brook hydraulic model. Results indicate a decrease in peak water levels within the site boundary.

- 3.15 Level-for-level floodplain compensation will ensure that the proposed dwellings remain outside of the 1,000-year floodplain. Therefore, it is proposed to raise the minimum finished floor level of dwellings to a minimum of 150mm above the ground level to mitigate against surface water and groundwater flood risk.

Drainage Strategy

- 3.16 Due to the low soil permeability rate, surface water runoff will be discharged into the Langford Brook.
- 3.17 Surface water from roof areas will discharge via downpipes into the on-site drainage system. Crushed stone blankets located beneath highways and a storage basin on the site's eastern boundary will provide on-site storage. Additional attenuation may be provided by installing waterbutts immediately downstream of the downpipes. Attenuated runoff from the site will be discharged to the Langford Brook via a pipe from the storage basin.

Wider Benefits

- 3.18 The surface water drainage strategy and level-for-level floodplain compensation scheme will reduce fluvial flows from the site during both surface water and fluvial flood events. Residents in Langford Village will benefit from these peak flow attenuations.

4.0 PLANNING POLICY CONTEXT

National Planning Policy

National Planning Policy Framework (2012)

- 4.1 The Government's commitment to delivery of sustainable development is enshrined in the Localism Act and National Planning Policy Framework (NPPF). Local Planning Authorities are duty bound to prepare positive plans to encourage sustainable development that meets the area's need for homes, jobs and open space.
- 4.2 The NPPF provides a clear decision taking framework and approach (para 14) to the determination of planning applications. The focus is the Presumption in Favour of Sustainable Development. In the absence of an up to date development plan policy, permission is to be granted unless there are adverse impacts that demonstrably and significantly outweigh the benefits of development. In the context of a time-expired or out of date local plan, consideration needs to be given to the balance of adverse impacts when assessed against the policies of the NPPF as a whole.
- 4.3 It is the policies of the entire NPPF, taken collectively, which provide the definition of sustainable development. Development of Gavray Drive - West accords with this definition. The development will enhance an existing vibrant and healthy community through a mix of housing and by enhancing the natural environment through integration of existing habitats into the wider green infrastructure network and the use of renewable energy technologies.
- 4.4 The NPPF provides 12 core planning principles that should underpin plan making and decision taking. Those relevant to the proposal are summarised below, alongside a commentary on conformity.

Core Planning Principle	Conformity of Scheme
Plan-led system with up to date local plans setting out a positive vision	There is no up to date adopted Local Plan. The site is proposed to be allocated for development as part of the main modifications to the emerging Local Plan. The application scheme delivers a major residential led urban extension in accordance with the emerging policy Bicester 13

Sustainable economic development to deliver homes, businesses, infrastructure and local places that are needed, based on an assessment of local need.	The potential benefits of development of land at Gavray Drive - West, are recognised by the emerging Local Plan and its evidence base. The scheme has the potential to deliver a substantial proportion of Cherwell's housing requirement, both market and affordable. As such it will also have a major positive effect on economic development and housing objectives within the District.
High quality design and amenity	The applicant is committed to the creation of a desirable new community that reflects Bicester's vernacular and to creating walkable residential neighbourhoods.
Take account of the different roles and character of different areas including promoting the vitality of main urban areas and recognising the intrinsic character and beauty of the countryside.	Additional housing will support the vitality of the town centre and shops and services near to the site. The development layout has been influenced by the landscape context and topographical features of the site. Development parcels, the form and type of open space and route-ways take account of the established physical features.
Support the transition to a low carbon future.	The scheme takes full account of potential flood risk though the provision of SUDS, will incorporate the principles of sustainable development, including maximising the potential for walking, cycling and public transport and minimise carbon footprint. Buildings will be built to the Building Regulation Standard in force, at the time of construction.
Contribute to conserving and enhancing the natural environment and reducing pollution	The site is an allocation in the emerging Local Plan. There are no high level constraints to the development. It will

	respect topography and enhance the natural environment. Development of the site will lead to a loss of agricultural land - this must be balanced against the benefits of delivering housing in a sustainable location.
Promote mixed use developments	Best use will be made of the land available, through the provision of new accessible green space.
Manage growth to make the fullest use of sustainable modes of transport and focus development in sustainable locations.	The scheme will encourage the use of sustainable transport in the form of public transport, walking and cycling through routes to the centre. The site is contiguous with the existing urban area.
Improve health, social and cultural wellbeing and delivery community and cultural facilities to serve local need.	A new residential area will be created that will be well served by a range of health and community facilities.

- 4.5 The NPPF contains specific policy relating to 13 key themes. The National Planning Practice Guidance (NPPG) provides further information on each theme. ID 42-006-20140306 of the NPPG identifies the benefits of preparing a Transport Assessment. It states:

Travel Plans, Transport Assessments and Statements can positively contribute to:

- *encouraging sustainable travel;*
- *lessening traffic generation and its detrimental impacts;*
- *reducing carbon emissions and climate impacts;*
- *creating accessible, connected, inclusive communities;*
- *improving health outcomes and quality of life;*
- *improving road safety; and*
- *reducing the need for new development to increase existing road capacity or provide new roads*

- 4.6 ID 26-006-20140306 of the NPPG provides further information on design in the planning process and states:

Design impacts on how people interact with places. Although design is only part of the planning process it can affect a range of economic, social and environmental objectives beyond the requirement for good design in its own right. Planning policies and decisions should seek to ensure the physical environment supports these objectives. The following issues should be considered:

- *local character (including landscape setting);*
- *safe, connected and efficient streets;*
- *a network of greenspaces (including parks) and public places;*
- *crime prevention;*
- *security measures;*
- *access and inclusion;*
- *efficient use of natural resources; and*
- *cohesive & vibrant neighbourhoods.*

4.7 ID 53-002-20140306 of the NPPG explains the links between health and planning, that development should avoid adverse impacts on human health, create opportunities for people to make healthy choices, promote active travel and physical activity, and promote access to high quality open spaces and opportunities for play, sport and recreation.

4.8 ID 7-030-20140306 of the NPPG identifies the objectives of a flood risk assessment. It states:

The objectives of a site-specific flood risk assessment are to establish:

- *whether a proposed development is likely to be affected by current or future flooding from any source;*
- *whether it will increase flood risk elsewhere;*
- *whether the measures proposed to deal with these effects and risks are appropriate;*
- *the evidence for the local planning authority to apply (if necessary) the Sequential Test, and;*
- *whether the development will be safe and pass the Exception Test, if applicable.*

4.9 ID 7-068-20140306 of the NPPG provides a checklist of matters to be addressed in a flood risk assessment.

4.10 ID 8-016-20140306 of the NPPG explains how biodiversity should be taken into account in preparing a planning application ID 8-018-20140306 of the NPPG identifies the issues that should be considered when seeking to avoid, mitigate or compensate for significant harm to biodiversity and that green infrastructure can help to mitigate any significant harm to biodiversity (ID 8-019-20140306). The following paragraphs assess the development against relevant themes.

Building a Strong Competitive Economy

4.11 The proposed development supports a strong, competitive economy in Bicester and the wider District. The Government recognises that competitive economies are as much about removing barriers to growth, such as local housing need, as it is providing

new employment land. The application proposes up to 180 homes, part of the planned growth at Bicester, supporting investment by delivering much needed, housing.

- 4.12 The development will establish a new population (some residents will move from other parts of Bicester) that will help to support the enhanced retail and business elements proposed in the town centre. The economy will be supported by increased expenditure on goods and services. The area is close to major employment opportunities and within easy walking and cycling distance.

Ensuring the Vitality of Town Centres

- 4.13 The NPPF promotes competitive town centre environments and recognises town centres as the heart of their communities. The new population will rely on town centre and other established retail centres for comparison shopping and leisure.

Promoting Sustainable Transport

- 4.14 The proposed development adopts the approach advocated in the NPPF that people should be given choice about how they travel with a transport system balanced in favour of sustainable transport modes. Footways and cycle routes throughout the scheme support walking and cycling as realistic options. A Travel Plan will highlight opportunities for sustainable travel for all businesses and new homes. The Transport Assessment accompanying the OPA outlines the range of sustainable transport measures proposed, alongside the modal shift predicted.

Delivering a Wide Choice of High Quality Homes

- 4.15 Paragraph 49 of the NPPF notes that housing applications should be considered in the context of the presumption in favour of development. This Planning Statement demonstrates how the development can be defined as sustainable by delivering a scheme that is sensitive to the environment, supports economic growth and establishes a socially robust community.
- 4.16 The development delivers up to 180 dwellings of the planned requirement of 10,129 units for Bicester to 2031. The site is deliverable, in the context of footnote 11 of paragraph 47 of the NPPF, in that it is available, offers a suitable location for development and has a reasonable prospect of housing delivery within five years. The mix of housing types and tenures will be refined at reserved matters stage. The precise mix of affordable housing will be negotiated with CDC as part of S106 discussions.

Requiring Good Design

- 4.17 The development values the importance of good design. The Design & Access Statement demonstrates the high quality design approach and the ability to establish a sense of place and identity. The principles in the Design & Access Statement will be taken forward at reserved matters stage for each development phase.

Promoting Healthy Communities

- 4.18 The network of footpaths, cycle routes and green infrastructure incorporating formal and informal open space will encourage activity and healthy lifestyles.

Meeting the Challenge of Climate Change and Flooding

- 4.19 The NPPF notes that reductions in greenhouse gas emissions and resilience to climate change can be encouraged through good planning. Development will meet the Code for Sustainable Homes in place at the time of construction. The Design & Access Statement details the ways in which this may be achieved.
- 4.20 The NPPF requires that development should be directed away from areas at highest risk of flooding. As the site is over 1 hectare in size, a Flood Risk Assessment forms part of the OPA documentation and concludes that the site is suitable for the proposed development in the context of the NPPF sequential test.
- 4.21 Sustainable urban drainage solutions will be incorporated into both the built and green environments. SuDS will be implemented to reduce flood risk, minimise pollution and provide landscape and wildlife benefits. The drainage strategy set out in the FRA will result in rates of run-off being reduced below existing and will produce a significant local benefit.

Conserving and Enhancing the Natural Environment

- 4.22 The NPPF places an emphasis on protecting valued landscapes, minimising impacts on biodiversity and preventing unacceptable levels of pollution, and on mitigating impacts where these occur. The ecological value of the site has been assessed in the Environmental Statement. This process has allowed a master plan to be developed that retains and enhances areas of ecological value.

Conserving and Enhancing the Historic Environment

- 4.23 The NPPF recognises the contribution that heritage assets make to our knowledge and understanding of the past and the desirability of new development to make a positive contribution to local character and distinctiveness. The application site does not include any heritage assets. There are no Conservation Areas, Registered Parks or Gardens, or Scheduled Monuments located within the site.

Regional Policy

- 4.24 Section 109 of the Localism Act 2011 made provision for the Secretary of State to abolish Regional Spatial Strategies. The Regional Strategy for the South East (Partial Revocation) Order 2013 abolished the South East Regional Strategy and the relevant Structure Plans in March 2013. The South East Plan (2008) and South East Regional Economic Strategy (2006) no longer form part of the adopted development plan for CDC. The Order also revoked the Oxfordshire County Structure Plan 1996-2011.

Local Policy

Cherwell District Local Plan (1996)

- 4.25 The Cherwell Local Plan was adopted in 1996 and an end date of 2001. The base date for the plan was 1986. It remains part of the statutory Development Plan for the area but ran to only 2011. Some policies are 'saved' until the Council's Local Development Framework that will replace the adopted Cherwell Local Plan, is in place.
- 4.26 The Secretary of State's saving of policies beyond 2011 was explicitly related to the requirement to ensure a continual supply of land for housing land and only insofar as those saved policies remain consistent with national guidance (such as the NPPF) which the Secretary of State indicated should carry considerable weight.
- 4.27 Gavray Drive – West is allocated for employment uses. The Proposal Map shows a historic commitment to employment generating development on a large part of Gavray Drive, proposed recreation land within the centre of the site (Policy R1) and an area of new employment development (Policy EMP1). The saved policies also have some limited relevance to the determination of this application are:
- Policy C1 and C2 which seek to promote the interests of nature conservation and ensure the protection of sites of local nature conservation value;

- Policy C7 which seeks to prevent harm to the topography and character of landscape by requiring development to take into account changes in level slope and not to detract from important views;
- Policy C9 which seeks to ensure compatibility of development with rural location in terms of its type, scale and size;
- Policy C13 which seeks to preserve areas of high landscape value;
- Policy C14 which seeks to retain important trees, woodland and hedgerows and ensure that new planting uses species native to the area;
- Policy C15 which seeks to prevent the coalescence of settlements;
- Policy C25 seeks protection, enhancement and preservation of sites and/or settings of important archeological origin and scheduled ancient monuments;
- Policy C28 seeks sympathetic layout, design and external appearance of new development and use of traditional building materials;
- Policy C30 seeks that new housing is compatible with appearance, character, scale of existing dwellings in the vicinity and ensures acceptable standards of amenity and privacy;
- Policy ENV1 seeks to ensure the amenities of the environment and neighbouring residents are not unduly affected by development;
- Policy H5 sets out a target affordable housing provision of 20% in Bicester, subject to viability of the scheme;
- Policy R12 requires the provision of 2.43 ha of public open space per 1,000 population; and
- Policy TR1 that requires provision of highways improvements and/or additional public transport.

4.28 The overall spatial strategy and level of growth for CDCC, whilst saved until the Local Plan is adopted, will be replaced by a more ambitious growth strategy as set out in the Draft Cherwell Local Plan 2031.

Non-Statutory Cherwell Local Plan

4.29 The Non-Statutory Cherwell District Local Plan 2011 was intended to review and update the Local Plan adopted in 1996. Due to changes to the planning system introduced by the Government, work on the plan was discontinued prior to adoption. The Non-Statutory Cherwell Local Plan is not part of the statutory development plan but it has been approved as interim planning policy for development control purposes.

4.30 As such any relevant development plan policies offer general policy provisions and do not contain any site specific policy detail. The saved policies which are relevant (albeit to a limited degree) to the determination of this application are:

- Housing policies H1a, H3, H4 and H7 that relate to the criteria upon which locations for housing will be assessed which includes the need to take into account the physical and environmental constraints on development of land, not to be built at a density of less than 30 dwellings per hectare, provide for a mix of dwellings to include an element of affordable housing;
- Transport and Development policies TR1, TR2, TR3, TR4, TR5, TR8, TR9 and TR11 that require development proposals to contribute to achieving the objectives of the local transport plan, located where it can be realistically reached by all modes of transport, be supported by Transport Assessments and Travel Plans, provide appropriate mitigation measures and set out an approach for their implementation, ensure safe movement for all transport modes and free flow of traffic, provide appropriate cycling and pedestrian networks and facilities, provide satisfactory parking;
- Recreation and Community facilities policies, R8, R9 and R10A that require provision of 2.43 ha per 1000 population of public open space to include an element of formal sports and children's play, and areas of informal open space that contribute to the "greening" of residential areas and if necessary, secure off site enhancement of built sport and recreation facilities.
- Conserving and Enhancing the Environment policies EN1, EN15, EN16, EN17, EN23, EN24, EN25, EN27, EN28, EN34 and EN44 that require development proposals to take into account their likely impact on built and natural environment, provide appropriate measures to control surface water drainage, limit loss of best and most versatile agricultural land, avoid building on contaminated land unless adequate mitigation is secured, be supported by ecological surveys, promote interests of nature conservation to include protected species, incorporate, where possible, the creation of new ecological habitats and the character and appearance of the wider landscape to reduce harm and visual intrusion and protect the setting and character of listed buildings; and
- Urban Design and the Built Environment policies D1, D3, and D12 that seek development proposals to be locally distinctive in built development and

landscape, ensure a permeable and legible form of development, provide a mix of compatible uses, reflect the site's landform and natural features, include retention and enhancement of important landscape features, protect important views and vistas.

Bicester Masterplan Draft SPD

- 4.31 Cherwell District Council and Oxfordshire County Council have jointly commissioned WYG Planning & Design to prepare a 'blueprint' or Masterplan for the future development of Bicester. The Draft Masterplan has been produced alongside the Local Plan. Once adopted, the masterplan will be a Supplementary Planning Document (SPD), and will become a material consideration in the determination of planning applications to guide local businesses, land owners and developers in preparing planning applications.
- 4.32 The Masterplan intends to provide a vision for development in Bicester up to 2031 and beyond. It seeks to:
- Provide a range of employment uses that create between 15,000 and 20,000 new jobs in manufacturing, industrial and research employment sectors, to enhance the role of Bicester in the regional economy and reduce out-commuting;
 - Provide a total of 10,300 new homes; approximately 6,500 homes up to 2031 and a further 3,800 by 2040 to deliver the Local Plan requirements;
 - Create a network of open spaces, including 90 hectares for sports pitches, 70 hectares for open space and 280 hectares for amenity areas to address the existing shortfall;
 - Limit the future growth of the town and separation from the adjacent villages, through the creation of strategic landscape buffers;
 - Create a transport and movement strategy that will reduce traffic congestion; and,
 - Establish a Town Centre Action Area to ensure the coordination of retail, social, health and leisure development to increase town centre activity and create new jobs.
- 3.2.1 The Concept Masterplan identifies the future broad shape of the town and is based upon the landscape and other constraints identified. The concept masterplan identifies the potential maximum capacity of the town, from just under 30,000 residents to up to in excess of 50,000. The Concept Masterplan identifies:

- A limit to the future growth and separation from the adjacent villages by a strategic landscape buffer.
- A transport and movement strategy that will reduce traffic congestion and enable improved connectivity between the neighbourhoods and town centre.
- A Town Centre Action Area to coordinate the retail, social, health and leisure development that will be needed.

4.33 The Framework Masterplan sets out a detailed set of proposals that connect the transport and movement, housing, employment, green infrastructure and the town centre actions together. The main features of the Framework Masterplan include:

- Major new logistic, hi-tech and manufacturing sites located on the new strategic road network on the eastern side of the town;
- RAF Bicester allocated as a special mixed use employment area focusing on aviation, conservation and heritage activities and tourism facilities;
- Smaller scale sites forming part of sustainable mixed use neighbourhoods and the eco-development at North West Bicester;
- Changes to the strategic road network to enable improved connectivity;
- New Bicester Town Railway Station to provide the opportunity to create a new entrance into the town and sustainable movement links to Bicester Business Park and Graven Hill;
- Residential development focused on the key strategic sites;
- Four reserve sites at Caversfield, East Bicester, Graven Hill and Bicester Gateway.

4.34 The draft masterplan identifies the wider Gavray Drive site for housing and open space, in line with the emerging Local Plan

Emerging Local Plan Policy

Cherwell Local Plan 2031: Submission Document (2014)

4.35 The Cherwell Local Plan (2031) provides the policy framework to deliver sustainable growth to 2031 and beyond. The Submission Draft (January 2014), was submitted to the Secretary of State in January 2014. The document is not part of the adopted development plan for Cherwell. The weight to be attached to individual policies within the plan is based on their consistency with the NPPF.

4.36 The Cherwell Local Plan is currently at examination stage. The Examination in Public commenced in June 2014 and was suspended to identify further land for housing to

demonstrate that the plan properly meets the objectively assessed housing needs identified in the 2014 Oxfordshire Strategic Housing Market Assessment.

- 4.37 In August 2014, CDC published its schedule of Proposed Main Modifications to the (Submission) Local Plan. The spatial strategy seeks to manage growth and focus development in and around Bicester and Banbury. Policy BSC 1 sets out the district wide housing provision of 22,840, with 10129 homes to be provided at Bicester.
- 4.38 Para C.25 sets out a clear vision for Bicester in 2031. Development of Gavray Drive will be a key component of delivering that vision including *delivering development that will increase Bicester's self-containment, provide higher-value job opportunities and reduce the proportion of out-commuting; and Provide for new development in accessible locations that will maximise opportunities for providing sustainable transport choices, for reducing traffic congestion and for reducing the proportion of out-commuting.*
- 4.39 The proposed Main Modifications propose development on Gavray Drive. Draft Policy Bicester 13 – Gavray Drive is set out below.

Strategic Development: Bicester 13 – Gavray Drive

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. 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. 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.

4.40 The planning application seeks outline planning permission for the development of Gavray Drive West for up to 180 dwellings in conformity with the emerging site specific Policy Bicester 13. This amount of development has been fully assessed in the Environmental Statement accompanying the application and been demonstrated to result in no significant adverse effects. Furthermore, the Design & Access Statement demonstrates how the form and layout of development and the disposition of land uses across the site responds to the specific place shaping principles in emerging Policy Bicester 13.

4.41 The following general policies are also relevant, accepting that the weight to be attached to them will reflect the status of the Local Plan at the time of the determination of this application.

Policy BSC 2 Effective and Efficient Use of Land; Policy BSC 3 Affordable Housing; Policy BSC 4 Housing Mix

4.42 Policy BSC 2 aims for new housing to be provided at a net density of no less than 30 dwellings per hectare. Policy BSC 3 requires 30% affordable homes, expected to comprise a 70% affordable/social rented dwellings and 30% intermediate affordable. Policy BSC 4 requires a mix of homes to meet requirements for housing need and ensure provision of socially inclusive communities, identified in the Oxfordshire Strategic Housing Market Assessment and Cherwell Housing Strategy (2014).

4.43 The application proposals accommodate up to 180 dwellings with provision for affordable housing as part of the proposals. The tenure and mix of dwellings will be

fixed through the s106 agreement and subsequent reserved matters pursuant to any outline planning permission.

BSC10: Open space, sport and recreation provision; BSC 11: Local Standards of Provision – Outdoor Recreation.

- 4.44 Policy BSC10 supports convenient access to open space, sport and recreation provision and seeks to ensure that new development provides sufficient quantity commensurate to the need generated by the proposals. The development provides green space for play, recreation and walking/cycling.

ESD 1: Mitigating and Adapting to Climate Change; ESD 3: Sustainable Construction; ESD 6: Sustainable Flood Risk Management; ESD 7: Sustainable Drainage Systems (SuDS)

- 4.45 Policy ESD 1 seeks to ensure development reduces the need to travel and encourages sustainable travel options, seeks reductions in carbon emissions, promotes low carbon/ renewable energy use and encourages the use of sustainable drainage methods. Policy ESD 3 encourages all new residential development to reflect high quality design and high environmental standards demonstrating sustainable construction methods. Policy ESD 6 directs new development to areas with the lowest probability of flooding in accordance with the Sequential Test as defined within the NPPF and requires development proposals to be accompanied by site specific flood risk assessments to assess all sources of flood risk. Policy ESD 7 requires developments to use sustainable urban drainage systems for the management of surface water run-off. As outlined earlier in this statement, the FRA concludes that the application site is suitable for the proposed development in the context of the NPPF.

Policy ESD 10: Protection and Enhancement of Biodiversity and the Natural Environment

- 4.46 Policy ESD 10 seeks to protect and enhance the biodiversity and the natural environment through the protection of trees, retention of features of biodiversity value and creation of features to enhancement biodiversity such as creation of wildlife corridors to ensure new habitat connectivity. The proposed layout has taken into account habitats and features of value at an early stage.

Policy ESD 1: Conservation Target Areas

- 4.47 No built development is proposed for the part of the CTA that falls within the site area. It is proposed to provide biodiversity enhancements in this area, together with flood attenuation and play area.

ESD 13: Local Landscape Protection and Enhancement

- 4.48 Policy ESD 13 seeks opportunities to secure the enhancement of the character and appearance of the landscape and requires development to respect and enhance local landscape character. The Design & Access Statement demonstrates the evolution of the proposals, the development layout and structure as a whole has been strongly influenced by the landscape context and topographical features of the site. A detailed landscape and visual impact assessment forms part of the ES and demonstrates that the scheme has been designed to fit within the wider landscape.

ESD 16: The Character of the Built and Historic Environment

- 4.49 Policy ESD 16 requires new development proposals to understand and respect an area's unique built, natural and cultural context by improving the character and appearance of the area and the way it functions; to support efficient use of land and infrastructure; to reinforce or re-interpret local distinctiveness through a contemporary design response; to respect local topography and landscape features to include skylines, significant trees and historic boundaries; to conserve and enhance heritage assets; to promote permeable and accessible development and promote high quality multifunctional streets to include pedestrian movement within the public realm; and to respect existing amenities for existing and future development. The potential effects on heritage assets have been considered at the masterplanning stage. Appropriate site investigations have been carried out.

Policy ESD 18: Green Infrastructure

- 4.50 Policy ESD 18 seeks to ensure that green infrastructure is integral to the planning of new development.

Policy INF 1: Infrastructure

- 4.51 Policy INF 1 requires development proposals to demonstrate that infrastructure requirements can be met including the provision of transport, education, health, social and community facilities. The application proposals accord with this requirement through delivery of the following:

- contributions to off-site junction improvements;
- a proportion of affordable housing;
- land and contributions as appropriate for education, sports provision and community facilities;
- green infrastructure including informal open space and landscape areas and children's play space; and
- sustainable urban drainage systems.

5.0 MERITS OF THE PROPOSALS

- 5.1 The Government's commitment to delivery of sustainable development is now enshrined in the Localism Act and NPPF. It provides the decision taking framework with a presumption in favour of sustainable development. In the absence of an up to date development plan policy, permission is to be granted unless there are adverse impacts that demonstrably and significantly outweigh the benefits of development. In the context of a time-expired or out of date local plan consideration needs to be given to the balance of adverse impacts against benefits assessed against the policies of the NPPF as a whole.
- 5.2 The policies in the NPPF, taken collectively, constitute the definition of sustainable development. The proposed development of land at Gavray Drive - West accords with this definition by establishing a development that supports employment, the establishment of a vibrant and healthy community through a mix of housing and facilities, reflecting need and by protecting and enhancing the natural environment through integration of existing habitats and landscape elements.
- 5.3 There are substantial factors supporting the OPA in terms of its sustainable location; supportive emerging planning policy framework; early delivery of housing; provision of infrastructure and high quality approach to design. The scheme provides homes to meet local needs and supporting infrastructure that will enhance Bicester.

Location

- 5.4 The evidence base clearly sets out a strategy that concentrating development at Bicester and Banbury provides the most sustainable and appropriate locations for the growth of the District. The principle of Gavray Drive as one of the most suitable locations to deliver housing within Bicester is well established and underpinned by an independently endorsed and up to date evidence base. Gavray Drive has been identified as a development site since 1996.
- 5.5 The site is available and deliverable, benefitting from a sustainable location and no significant site constraints. This is accepted in emerging Local Plan Policy and is confirmed through the material that accompanies this planning application.

Supportive Local Policy Framework

- 5.6 Draft Policy Bicester 13 of the emerging Cherwell Local Plan 2031, provides the policy basis for the proposals allocating Gavray Drive. It identifies site specific development principles to ensure that development respects the existing character and form of the local landscape, complements adjoining existing and proposed development and facilitates the delivery of infrastructure.

Housing Delivery

- 5.7 The Government has recognised the housing crisis in the country and in the NPPF made the case for growth and housing delivery to meet locally assessed housing need. The NPPF seeks to *boost significantly the supply of housing*. The development proposals form part of a locally derived strategy of growth that delivers this national agenda.

- 5.8 Oxfordshire Strategic Housing Market Assessment 2014, demonstrates a shortfall in net housing completions within Cherwell, yet predicts that population growth will increase demands from all household types. In response to this, the proposed Main Modifications to the Submission Cherwell Local Plan (August 2014) seeks delivery of up to 22,840 dwellings within the District over the plan period up to 2031. Confidence that a programme of housing completions will be achieved at Gavray Drive West is underpinned by:

- Gallagher Estates' record of delivering large sites of this nature;
- the local site conditions which present few environmental or site remediation issues; and
- early interest from house builders to support anticipated rates of development.

- 5.9 The NPPF flags the need to deliver a wide choice of high quality homes and plan for a mix of housing based on current and future demographic trends and local needs. The proposed development would have a beneficial impact on the housing market, increasing housing stock and providing a mix of dwellings, including affordable housing.

Design Approach

- 5.10 The development layout and structure has been influenced by the landscape context and topographical features of the site. The arrangement of land parcels their

associated uses, form and type of open space and route ways seek to respond to the established physical features within the site and enhance the sustainability of the proposals.

Balance of Considerations

- 5.11 The application proposals have been subject to scrutiny as part of the careful construction of an evidence base as the basis for the identification of Gavray Drive West as one of the most sustainable development options to help accommodate the housing needs of Cherwell.
- 5.12 In conclusion therefore there are no substantial and demonstrable adverse impacts of development to offset against the substantial benefits of the proposals. No impacts are of such significance as to overturn the presumption in favour of sustainable development set out in the NPPF.

6.0 COMMUNITY ENGAGEMENT

6.1 A staffed public exhibition was held on 27 November 2014 held at Bicester Town Council offices at The Garth, Bicester between 3 and 8 pm. It was advertised widely to the public via a press notice and leaflet drop. A notice was placed in the Bicester Advertiser on Thursday 13 November. The notice outlined the proposal, showed the extent of the proposed development on an annotated aerial photo, and gave details of the public exhibition.

6.2 An invitation to the public exhibition was also hand delivered by DBS Marketing to approximately 2,300 local households and businesses, focused on Langford Village located immediately south of Gavray Drive.

6.3 Invitations were sent directly to the following list of individuals to attend a dedicated session of the exhibition. The list was discussed and agreed with Cherwell District Council:

- Rebecca Horley, Principal Planning Officer at Cherwell District Council
- Councillor Mrs Lynn Pratt (Mayor, District and Town Councillor, North Ward)
- Councillor Mr M. Magee (District and Town Councillor)
- Councillor Dan Sames (District and Town Councillor)
- Councillor N Cotter (District and Town Councillor)
- Bicester Town Council
- Langford Village Community Association
- Dominic Woodfield, Bioscan (UK) Ltd

6.4 Contact details (phone and email) were provided on the newspaper adverts, leaflets and letters. No emails were received. One phone call was received with a question unrelated to the proposal having regard to the maintenance of open space in Langford Village. This was not directly related to the proposals for Gavray Drive.

6.5 The exhibition itself comprised a series of exhibition boards explaining the proposal, site history, design influences and the technical response to issues such as drainage, highways and ecology. A draft Parameter Plan was included. Members of the project team were available to answer questions, including consultants from Odyssey Markides (highways), JBA Consulting (drainage) as well as representatives from Gallagher Estates and David Lock Associates.

6.6 In addition to the exhibition, Glen Langham of Gallagher Estates and David Keene of David Lock Associates presented to Bicester Town Council on 8 December 2014. The presentation was based on the exhibition material. A question and answer session followed.

6.7 Approximately 30 people attended the public exhibition, 23 of which entered their names on the formal register. A questionnaire sought to capture views. A total of 10 questionnaires were returned. The questionnaire was divided into two sections, the first of which asked if respondents agreed or disagreed with 5 statements. Responses to these first statements were as follows:

Question	Agree	Disagree	No Response
Q1 New homes are needed within Cherwell District and in particular Bicester. The land would make a significant contribution to meeting this need.	8	2	0
Q2 The inclusion of open public spaces, including two play areas, is welcomed.	8	1	1
Q3 The development should provide a proportion of affordable housing.	9	1	0
Q4 There should be footpath links to the existing railway bridge and through the site to Gavray Drive	10	0	0
Q5 Providing a range of house sizes is important.	9	1	0

6.8 Respondents were clearly supportive of the main principles underlying the proposal. The remaining questions allowed respondents to provide further comments. Three recurring themes were identified from all responses. These are set out below with a response:

Flooding and Drainage

- 6.9 Several respondents raised concerns about the potential for flooding of the proposed development and whether existing housing would be at any additional flood risk following construction of the housing.

Response

- 6.10 Part of the land that lies closest to the brook is a floodplain. This is known as the '1 in 100 year floodplain with climate change'. With a small element of ground remodelling, all built development can be constructed outside of the floodplain. Level-for-level compensation ensures that the floodplain capacity is not displaced and there is no off-site flooding. Surface water from roof areas will discharge via downpipes into the on-site drainage system. Crushed stone blankets located beneath highways and a storage basin on the site's eastern boundary will provide on-site storage. Additional attenuation may be provided by installing waterbutts immediately downstream of the downpipes. Attenuated runoff from the site will be discharged to the Langford Brook via a pipe from the storage basin.

Traffic

- 6.11 A number of respondents suggested that the proposal could cause an increase in traffic and have an impact on existing junctions. Some respondents considered this might be dangerous with specific reference to Mallards Way and the junction into Peregrine Way.

Response

- 6.12 An assessment of the local highway network has been undertaken, including an examination of safety. This has included identifying the likely number of vehicle trips generated by the proposed development (including during the construction phase) and modelled the potential impact of this additional traffic. This assessment includes anticipated traffic movements generated by other proposed and approved schemes in Bicester.
- 6.13 Access to the site will be taken from Gavray Drive via an existing bell mouth junction. The highway proposals cater for the traffic movements generated by the development. The proposals would have a minimal impact on the surrounding highway network. Existing good pedestrian and cycle connections ensure that residents can move freely between the development, Bicester Town Centre and Langford Village.

Land East of Langford Brook

- 6.14 Questions were asked about the future of the land immediately east of the application site. Reference was also made to the need to protect the Local Wildlife Site (LWS).
- 6.15 The applicants control land east of the brook too, including the Local Wildlife Site. The land is not included in this planning application. It previously benefitted from planning permission which would have seen housing built east of the brook and significant funds made available to manage and enhance the Local Wildlife Site. This planning permission no longer exists and no management regime is in place. Cherwell District Council proposes some housing on the land as part of the wider allocation in the draft Local Plan. The applicants await the outcome of the Local Plan Examination before taking a decision on the land it controls east of the brook.

7.0 PLANNING OBLIGATIONS / S106 HEADS OF TERMS

7.1 Subject to the provisions of the CIL Regulations, the applicants would enter into a Section 106 agreement with CDC and OCC, agreement being conditional upon the grant of planning consent. An indication of the matters to be addressed in the S106 agreement are set out below and subject to negotiation.

7.2

DRAFT HEADS OF TERMS FOR SECTION 106 OBLIGATION

Effective Date:	The obligations are conditional upon the grant and implementation of the Planning Permission.
PLANNING OBLIGATIONS:	
Green Infrastructure and Public Open Space	To provide for Public Open Space (play areas etc), mature trees, hedgerows and provide for an appropriate maintenance regime.
Affordable Housing	<ul style="list-style-type: none"> • proportion of Dwellings shall be Affordable Housing • housing type and tenure to be agreed
Education	To agree contributions for primary and secondary FE as necessary.
Transport	To carry out highway improvements to include proposed accesses into the site and to provide contributions to other off-site highway improvements, as necessary.
Sustainable transport	Travel plan measures and public transport contributions to bring the existing bus service into the site
Community facilities	To make provision as appropriate and justified for the enhancement of existing or proposed facilities and children's play areas
Drainage	Provisions to ensure delivery of effective SuDS drainage system and maintenance of any ponds and watercourses.

8.0 CONCLUSION

- 8.1 In the absence of an up to date development plan policy and 5 year housing land supply for the district, the presumption in favour of sustainable development requires that permission is to be granted unless there are adverse impacts of development that demonstrably and significantly outweigh the benefits of development.
- 8.2 The proposed development of land at Gavray Drive West is in accordance with the Government's aspirations for sustainable growth and fully reflects the core planning principles of NPPF.
- 8.3 The NPPF further emphasises the need for Local Authorities to prepare Local Plans that deliver this vision and the aspirations of the local community.
- 8.4 CDC has produced Main Modifications to the Submission Cherwell Local Plan that includes the application site within a wider allocation of 300 new dwellings. It is part of the strategic planned growth at Gavray Drive where the CDC are committed to early delivery, commencing in 2016/2017.
- 8.5 Development at Gavray Drive West could deliver up to 180 dwellings. The application complies with a requirement to provide the necessary infrastructure to support itself and to mitigate any impacts of development on existing communities.
- 8.6 In the context of the growth agenda and the pressing national and local need for housing growth, the application proposes a strategic residential extension capable of delivering new homes and supporting the planned growth of Bicester to support the wider growth objectives for the District. There are no significant and demonstrable impacts that outweigh the benefits of granting consent. Therefore, in accordance with the presumption in favour of sustainable development spelt out clearly in paragraph 14 of the NPPF, permission should be granted for the development proposed.

Appendix A: SUSTAINABILITY STATEMENT

National Planning Policy Framework

- 1.01 The NPPF states that the purpose of the planning system is to contribute to the achievement of 'sustainable development'. Sustainable development is defined at paragraph 6 of the NPPF as follows:

'The purpose of the planning system is to contribute to the achievement of sustainable development. The policies in paragraphs 18 to 219, taken as a whole, constitute the Government's view of what sustainable development in England means in practice for the planning system'.

- 1.02 The NPPF introduces a 'presumption in favour of sustainable development' in relation to plan-making and decision-taking and states that 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 this Framework taken as a whole; or*
 - *Specific policies in this Framework indicate development should be restricted.*

Construction

- 1.03 The applicant will meet all mandatory requirements of sustainable development set out by Government. It is recognised that operating in a sustainable manner can have wide reaching benefits for all the stakeholders involved in the development process.

- 1.04 The effects of climate change can already be seen, the applicant therefore proposes a series of measures to contribute to the following objectives:

- To minimise the use of non-renewable energy and increase energy efficiency
- To minimise emissions associated with the car
- To take into consideration changes in the regions climate including flood risk
- Minimising Energy Requirements of the New Community

- 1.05 The applicant will:

- Meet the mandatory standards for construction
- Propose a sustainable drainage system which will minimise run-off at source
- Optimise solar gain
- Install high energy efficiency condensing boilers and improve the thermal efficiency of all new houses through the use of insulation and double glazing
- Install low energy lighting

Materials

- 1.06 The applicant is committed to ensure that materials are used in a more efficient way. The primary objectives in relation to sustainable consumption and production are:
- To source sustainable materials
 - To minimise the demand for water
 - To maximise the opportunities for recycling
 - To achieve high standards of sustainable resource-efficient design
- 1.07 The applicants will endeavour to adopt best practice in this regard and develop a comprehensive strategy for the efficient use of natural materials in both the design and construction process of the development. It is recognised that this will need to be discussed with the relevant authorities at a later date. As such it is inappropriate to set out specific targets at this stage. Potential strategies for best achieving sustainable consumption and production have however been discussed in the sections below.
- 1.08 The applicant will use wooden construction components from managed forests where possible and meet the minimum construction standards relating to the use of grade 'D' building materials, as assigned by the Building Research Establishments Green Guide.
- 1.09 The applicant will endeavour to achieve sustainable design by specifying the use of low-impact building materials, energy efficient construction processes and by being located in such a way as to create an inclusive, safe and accessible community. Building Regulations will be met through the proposal and where possible exceeded.
- 1.10 The Developer is committed to minimising construction waste by specifying site practices including a site wide waste minimisation scheme that maximises material use and keeps waste to a minimum. The siting of on-site construction management facilities will be carefully planned to minimise disturbance to the public and to allow easy access for contractors. A number of waste management principles that will be adhered to for waste management throughout construction including:
- Ensuring that all contractors are contractually obliged to participate in a waste minimisation scheme.
 - Details of contractors proposals for waste minimisation must satisfy the scheme's requirements which will be enforced by the Gallagher Project Director, and contractors' full co-operation will be required at all times.
 - Materials to be recycled will include timber, cardboard, paper, concrete, brick, bituminous materials and metals;
 - Reduction of materials wastage through good storage and handling;
 - Entering into agreements with suppliers for disposal and recovery of their products including plasterboard offcuts, insulation offcuts and timber pallets; where viable.
 - Recycling green waste (i.e. herbaceous material) on site or making arrangements for off-site recycling;
 - Ensuring that all suppliers of materials provide returnable or practicably recyclable packaging, wherever reasonably practicable;
 - Including waste minimisation topics within site induction courses for site personnel; and
 - Regular toolbox talks throughout the construction phase to maintain awareness.
- 1.11 Waste management priorities for the proposed demolition operations will focus on reducing, reusing and recycling waste materials to minimise disposal to landfill.

- 1.12 To minimise the demand for primary aggregates it is intended to recycle suitable demolition arisings for use on-site in the redevelopment works wherever feasible. Any surplus recycled aggregate materials would be sold into the local aggregate market for use in construction projects elsewhere.
- 1.13 Other measures will include:
- Use where possible of on-site or local off-site borrow pits to provide suitable construction materials.
 - Reuse of suitable excavated materials from site works.
 - Salvage of ferrous and non-ferrous demolition arisings.
 - Salvage of other materials (timber, fixtures and fittings), as appropriate.
 - Reduction of non-recoverable demolition waste through appropriate demolition methods and good site practice.
- 1.14 Following on from the construction phase of the development the applicant intends to facilitate noise attenuation for the new residents, wherever required.
- 1.15 The Environmental Impact Assessment sets out a thorough assessment of air quality, noise and water resources. This sets out mitigation where it is required to ensure no adverse impact on new or existing residents.

Access to facilities

- 1.16 The application proposals seek to facilitate the establishment of a fully inclusive and integrated community. To this end the applicant has set out the following principles:
- To make provision for the full range of housing
 - To integrate new residential development with the existing employment opportunities
 - To ensure there is a full range of community facilities within close proximity
 - To ensure access for all in and around the new community
- 1.17 In responding to market demand every effort will be made to ensure evolution of a broad based community. In particular, the applicant will work with specialist housing providers to ensure a mix of housing types and sizes and affordable housing.
- 1.18 Reducing the need to travel by co-locating the homes with employment opportunities is a central plank of the sustainable development agenda. The proposal will therefore:
- Introduce the scope for people to live near to where they work by providing housing close to major local employers.
 - Be located adjacent to the town centre and well connected via public transport to employment opportunities elsewhere within the town
 - Establish arrangements for local recruitment during the construction phases of the development
 - As previously mentioned facilitate home working through flexible house design and the integration of appropriate technology
- 1.19 The applicants will support existing local community facilities wherever possible and make provision for any facilities required. It is worth noting that:

- The applicants are willing to discuss how education needs from the development will be met.
 - All residents will be provided with 'welcome packs' providing information about facilities and services locally
- 1.20 The proposal has incorporated green space in to its design and will public access to this space. This includes accessible green space along the watercourse. More formal play space is provided to meet the Council's standards.
- 1.21 The applicants will seek to promote a highly accessible environment for all sections of the community by:
- Delivering an effective hierarchy of routes which facilitate movement by car, on foot and by cycle.
 - Designing all infrastructure to accommodate the needs of wheelchair users.
 - A pedestrian and cycle link to existing footpaths.
 - A Travel Plan.

Waste

- 1.22 Targets for recycling will be set and monitored in accordance with the council. Methods of collection and disposal might include:
- The provision of facilities for the separation and storage of recyclable waste in domestic properties e.g. garden and paper/cardboard waste
 - The allocation of a site for community recycling

Drainage

- 1.23 The applicants recognises that predicted changes in the regions climate need to be accounted for in the proposal. No housing will be within the floodplain.
- 1.24 The drainage strategy has adopted a SUDS strategy. This has been discussed with the Environment Agency.
- 1.25 The applicant will seek to reduce the amount of water used per person per day to 120 litres by fitting the houses with appliances that require less water, for instance a 6-9ltr per minute shower, 18ltr dishwasher, 6/4ltr dual flush WC and flow reducing taps.

Air Quality

- 1.26 In seeking to fulfil aspirations for the protection and enhancement of the environment the applicant proposes a series of measures to contribute to the following objectives:
- To minimise air, water, soil, light and noise pollution levels
 - To retain and enhance landscape character and ecological capital
 - To incorporate green space into the proposal
- 1.27 Potential strategies for reducing pollution include:
- Carrying out noise mitigation methods
 - Using dust suppressing tools where possible

- Not burning materials on site
- Carrying out careful transport planning to ensure construction of the new junction and road occurs at appropriate timings
- Carrying out construction only at times agreed.
- Minimising any risk of pollutants moving from source to water courses

Retaining and Enhancing the Landscape Character and Ecological Capital

- 1.28 There are features that the applicant proposes to retain and opportunities to enhance the landscape, encourage biodiversity, and promote local distinctiveness and sense of place. The applicant will seek to:
- Retain the vast majority of healthy trees, woodland groups and hedgerows regarded as important within the application site
 - Establish a high quality landscape setting for the development
 - Establish new planting on the periphery and within the development
 - Establish new and improved habitats

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