

# Agenda Item 4

East Area Planning Committee

12<sup>th</sup> & 24<sup>th</sup> September 2013

**Application Number:** 13/01383/OUT

**Decision Due by:** 30th August 2013

**Proposal:** Outline application (seeking means of access) for the erection of: A maximum of 885 residential units (Class C3); a maximum of 2,500 sq m gross Class A1, A2, A3, A4 and A5 uses (with a maximum of 2,000 sq m gross food store Class A1); a maximum of 50 extra care housing units; a maximum of 7,350 sq m GEA hotel (Class C1); a maximum of 3,000 sq m GEA Class D1, D2 floorspace (community hub and primary school); in development blocks ranging from 2 to 5 storeys with associated cycle and car parking, landscaping, public realm works, interim works and associated highway works.

**Site Address:** Land west of Barton, north of A40 and south of Bayswater Brook, **Appendix 1.**

**Ward:** Barton And Sandhills

**Agent:** AECOM

**Applicant:** Barton Oxford LLP

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## **Recommendation:**

Committee is recommended to resolve to grant planning permission subject to the satisfactory completion of an accompanying legal agreement and to delegate to the Head of City Development the issuing of the Notice of Permission upon its completion. Should however the Community Infrastructure Levy (CIL) charging schedule come into force prior to the completion of the legal agreement, then it shall exclude any items included on the list of infrastructure published in accordance with Regulation 123 of the CIL Regulations.

If the required legal agreement is not completed within a reasonable period, then the Committee is recommended to delegate the issuing of a Notice of Refusal to the Head of City Development on the grounds that the development is not adequately mitigated.

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## **Reasons for Approval**

1. The Council considers that the proposal accords with the policies of the development plan as summarised below. It has taken into consideration all other material matters, including matters raised in response to consultation and publicity. Any material harm that the development would otherwise give rise to can be offset by the conditions imposed.
2. The proposed development is submitted in outline only but with substantial supporting information to demonstrate that the proposed development would possess a scale and appearance that is appropriate to the site and its setting without resulting in unacceptable harm to nearby residential areas or other interests of acknowledged importance, whilst providing much needed good quality affordable and market housing at a sustainable location. The proposals also provide for a new primary school with facilities shared with the local community, plus additional facilities for secondary education and a new commercial centre to complement existing facilities, all in accordance with the adopted policies of the Oxford Local Plan 2001 to 2016, the Oxford Core Strategy 2026, Oxford Sites and Housing Plan 2011 to 2026 and Barton Area Action Plan 2012.
3. Officers have taken into account the comments made by statutory bodies, interested parties and private individuals, and note also the contents of the three petitions submitted. All are fully acknowledged. However Officers have concluded for the reasons set out in this report that the objections do not amount, individually or collectively, to reasons for refusal of the outline planning application, and that the issues that have been raised can be adequately addressed by the imposition of a range of planning conditions which would fix, amongst other matters, a series of Parameter Plans and a detailed Design Code, and by the completion of an accompanying legal agreement.

## **Conditions**

1. Time limits for commencement.
2. Approved plans and documents
3. Reserved matters applications.
4. Scheme of enabling infrastructure works.
5. Phasing of development.
6. Materials
7. Amendment to Design Code.
8. Design Code Review
9. Commercial centre to front primary street.
10. Restrict non - food sales at supermarket
11. Use of commercial units
12. Landscaping / public realm.
13. Landscaping implementation.
14. Tree pits.
15. Tree protection plan.
16. Landscape management plan.
17. Dimensions to sports pitches
18. Work to adult football pitch out of season

19. Access agreement for additional allotment land
20. Withdrawal of householder permitted development rights.
21. Lifetime homes standards.
22. Car parking standards.
23. Cycle parking standards.
24. Cycle route signage.
25. Cycle / pedestrian routes.
26. Servicing and deliveries.
27. Access.
28. Highways: Travel Plans.
29. Public transport provision.
30. Construction Environmental Management Plan.
31. Sustainability and energy strategy through district heating system.
32. Foul water drainage.
33. Site wide surface water drainage, to include SUDs.
34. Phased surface water drainage scheme.
35. Foul water drainage scheme.
36. Flooding.
37. Access to watercourse for maintenance.
38. Ground contamination and remediation.
39. Air quality: monitoring.
40. Piling.
41. Petrol / oil interceptors.
42. Noise and vibration: attenuation.
43. Mechanical plant.
44. Cooking smells.
45. Protection of Sidlings Copse
46. Grassland mitigation.
47. Training and employment strategy.
48. Procurement of contracts.
49. Repeat ecological surveys.
50. Habitat creation.
51. Archaeology.
52. Public art.
53. Linear park.

### **Legal Agreement.**

A comprehensive legal agreement would accompany the planning application if granted permission. The main elements of the agreement are:

1. Minimum of 40% of all residential units to be affordable housing to rent, with a minimum of 35% affordable in each phase of development.
2. Management of public open spaces by Barton Oxford LLP, (or adoption by local authority).
3. Financial contribution of £7,390,000 to Oxfordshire County Council for the provision of buildings to accommodate 1.5 form entry primary school academy, (or to be delivered direct by applicant).
4. Joint use agreement for use of school buildings and shared use of playing fields as “community hub”.
5. Transfer of 1.48ha. of land to Oxfordshire County Council on 125 year lease for

- provision of primary school.
6. Financial contributions of up to £618,344 plus £10,000 costs to Oxfordshire County Council for the provision of temporary primary school facilities within the catchment area of the development, plus £220,000 for transport facilities if located outside catchment area.
  7. Financial contribution of £3,104,595 to Oxfordshire County Council towards secondary school and sixth form facilities to serve the development.
  8. Financial contribution to Oxfordshire County Council of £146,390 towards Special Education Needs (SEN).
  9. Provision of “early years” facilities either with the community hub, or as a financial contribution of £69,350 to Oxfordshire County Council.
  10. Financial contribution of £88,500 to Oxfordshire County Council for improvements to Headington Library.
  11. Provision of day care facilities either within the community hub, or as a financial contribution of £163,500 to Oxfordshire County Council.
  12. Financial contribution to Oxfordshire County Council of £38,500 towards waste recycling facilities.
  13. Financial contribution of £1,867,758 to Oxfordshire County Council for transport improvements to A.40 access and A.40 corridor works.
  14. Financial contributions to Oxfordshire County Council for other highways works: noise reduction surfaces, £391,644; A.40 traffic calming, £34,187; improvements to existing Barton underpass, £110,000; access to Barton Village Road, £305,598; access to Harolde Close, £105,133.
  15. Financial contribution to Oxfordshire County Council of £82,600 to promote Controlled Parking Zone across site.
  16. Financial contribution to Oxfordshire County Council of £3,000 to promote traffic Regulation Order (TRO) for 50mph speed limit to A.40.
  17. Financial contribution to Oxfordshire County Council of £709,722 for junction improvements at Headley Way / Marston Road / Marsh Lane / Cherwell Drive.
  18. Financial contribution to Oxfordshire County Council of £15,727 to amend road markings at Green Road roundabout.
  19. Financial contribution to Oxfordshire County Council of up to £850,000 to subsidise new / extended bus services.
  20. Financial contribution to Oxfordshire County Council of £30,000 towards bus shelters.
  21. Financial contribution of £203,161 to City Council for indoor leisure facilities.
  22. Provision of public rights of way (as foot / cycle route) along southern side of development site; along linear park to link to Play Barton; and as diversion of existing right of way east of electricity sub station.
  23. Financial contribution of £10,000 to City Council towards link between linear park and Play Barton.
  24. Administration and monitoring costs: £111,494.

All sums are index linked and returnable to applicant if not spend within specified time periods.

### **Principal Planning Policies:**

Oxford Local Plan 2001-2016  
CP1 - Development Proposals

CP9 - Creating Successful New Places  
CP5 - Mixed-Use Developments  
CP6 - Efficient Use of Land & Density  
CP8 - Design Development to Relate to its Context  
CP10 - Siting Development to Meet Functional Needs  
CP11 - Landscape Design  
CP13 - Accessibility  
CP14 - Public Art  
CP17 - Recycled Materials  
CP18 - Natural Resource Impact Analysis  
CP20 - Lighting  
CP21 - Noise  
CP22 - Contaminated Land  
CP23 - Air Quality Management Areas  
TR1 - Transport Assessment  
TR2 - Travel Plans  
TR3 - Car Parking Standards  
TR4 - Pedestrian & Cycle Facilities  
TR5 - Pedestrian & Cycle Routes  
TR7 - Bus Services & Bus Priority  
TR13 - Controlled Parking Zones  
TR14 - Servicing Arrangements  
NE4 - Loss of Agricultural Land  
NE6 - Oxford's Watercourses  
NE11 - Land Drainage & River Engineering Works  
NE12 - Groundwater Flow  
NE13 - Water Quality  
NE14 - Water and Sewerage Infrastructure  
NE15 - Loss of Trees and Hedgerows  
NE20 - Wildlife Corridors  
NE21 - Species Protection  
NE22 - Independent Assessment  
NE23 - Habitat Creation in New Developments  
HE2 - Archaeology  
HE7 - Conservation Areas

#### Core Strategy

CS1 - Hierarchy of centres  
CS3 - Regeneration areas  
CS7 - Land at Barton  
CS9 - Energy and natural resources  
CS10 - Waste and recycling  
CS11 - Flooding  
CS12 - Biodiversity  
CS13 - Supporting access to new development  
CS14 - Supporting city-wide movement  
CS15 - Primary healthcare  
CS16 - Access to education  
CS17 - Infrastructure and developer contributions  
CS18 - Urban design, town character, historic environment

CS19 - Community safety  
CS20 - Cultural and community development  
CS21 - Green spaces, leisure and sport  
CS22 - Level of housing growth  
CS23 - Mix of housing  
CS24 - Affordable housing  
CS31 - Retail

#### Barton Area Action Plan

MP1 - Model Policy  
BA1 - Transforming the ring-road  
BA2 - Recreation ground  
BA3 - Allotments  
BA4 – Public Open Space  
BA5 - Sustainable travel  
BA6 - Vehicle access  
BA7 - Pedestrian and cycle links  
BA8 - Housing mix  
BA9 - Affordable housing  
BA10 - Local centre  
BA11 - Community hub  
BA12 - Energy efficiency  
BA13 - Design  
BA14 - Delivery  
BA15 - Flooding  
BA16 - Surface water drainage  
BA17 - Water supply and waste water drainage  
BA18 - Land remediation  
BA19 - Sidlings Copse and College Pond SSSI  
BA20 - Link local people - economic opportunities

#### Sites and Housing Plan

HP2 - Accessible and Adaptable Homes  
HP12 - Indoor Space  
HP13 - Outdoor Space  
HP14 - Privacy and Daylight  
HP15 - Residential cycle parking  
HP16 - Residential car parking  
HP3 - Affordable Homes from Large Housing Sites  
HP11 - Low Carbon Homes  
HP12 - Indoor Space

#### Other Planning Documents

- National Planning Policy Framework (NPPF)
- Planning Obligations Supplementary Planning Document (SPD).
- Affordable Housing SPD.
- Natural Resource Impact Analysis (NRIA) SPD.
- Parking Standards, Transport Assessments and Travel Plans SPD.
- Balance of dwellings SPD.
- Accessible Homes Technical Advice Note (TAN) No.1

- Draft Affordable Housing and Planning Obligations SPD

## **Public Consultation**

Extensive consultation and engagement with the public and stakeholders was undertaken by the applicant prior to submission of the planning application, and the Council's normal consultation procedures undertaken upon its receipt. A full record of the various consultation exercises and responses received appears as **Appendix 2** to this report, plus a response from the applicant to its consultation exercises as **Appendix 3** and the views of the Berkshire, Oxfordshire, Buckinghamshire and Milton Keynes Design Panel Network (BOBMK) on the emerging Masterplan as of May 2012 as **Appendix 4**.

The comments submitted centred in the main on issues relating to:

- access arrangements;
- traffic generation;
- parking levels;
- the relationship to Northway and Marston;
- the appropriate mix and integration of housing types;
- the need for additional community facilities;
- the amount of open space;
- drainage and flooding issues;
- public transport; and
- education provision.

## **Officers Assessment:**

### **Background to Proposals.**

1. The planning application relates to a roughly triangular tract of land to the north of the A.40 ring road, west of the existing Barton residential area and south of the Bayswater Brook. It measures some 38 hectares (94 acres) in area with the land to the north of the brook falling within the administrative area of South Oxfordshire District Council. The application site is currently given over to agricultural usage in the main with fields separated by unmanaged hedgerows, trees and ditches, but also includes Barton Village Recreation Ground, allotments and Barton Nature Park. The site surrounds (but does not include) a Scottish and Southern Electric (SSE) sub station which faces onto the A.40. The land generally slopes from south to north with the highest ground located to the south - east corner. It is traversed by public footpaths.
2. The site was identified in the Core Strategy adopted in March 2011 as a strategic development site, and forms an integral part of the Barton Area Action Plan (AAP) which followed the Core Strategy and was adopted in December 2012.
3. The main elements of the development as proposed may be summarised as follows:

- up to 885 residential units which may include up to 50 units of extra care housing;
  - hotel of up to 7,350 sq m of gross floorspace or approximately 120 bedrooms, (numbers of residential units to be reduced accordingly if a hotel is included);
  - up to 2,500 sq m gross retail floorspace, consisting of a supermarket of not more than 2,000 sq m gross and additional retail units totalling not more than 500 sq m;
  - primary school / “community hub” building and external areas consisting of 3,000 sq m main building, multi games area, adult sports pitch, 2 junior sports pitches, 400 sq m equipped play area, 360 sq m community sports pavilion and associated car parking;
  - linear park;
  - further equipped play area (“LEAPS”);
  - public squares;
  - additional allotment provision;
  - access roads;
  - pedestrian and cycle routes;
  - upgraded services, including media equipment, 2 pumping stations, substations and pressure regulators;
  - drainage works including water attenuation and control;
  - earth works;
  - removal of existing buildings and structures;
  - construction of new junction with A.40;
  - new telecommunications infrastructure;
  - landscaping and public realm works; and
  - junction works at Barton Village Road / Fettiplace Road and Harolde Close.
4. The planning application is submitted in outline only with access fixed but details of appearance, landscaping, layout and scale to follow as part of the series of reserved matters applications to follow if outline permission is granted. However the form of the reserved matters applications would be conditioned by a series of “Parameter Plans” and a Design Code which would form part of the outline permission if granted and would provide a framework within which the detailed proposals would come forward. An illustrative Masterplan accompanies the outline planning application, anticipating in general terms how the whole site is intended to be laid out upon completion. A full Environmental Statement accompanies the planning application.
5. Officers consider the principal determining issues in the case to be:
- planning policy;
  - built forms and layout;
  - residential development;
  - highways, access and parking;
  - local commercial centre;
  - education and community facilities;
  - recreational facilities;
  - landscape strategy and public open space;

- trees and landscaping;
- landscape setting and visual impact;
- biodiversity;
- archaeology;
- water resources, flooding and drainage;
- sustainability and energy;
- environmental statement.

## Planning Policy.

6. Historically the application site has largely formed agricultural land within open countryside on the periphery of the city. In planning terms at the time when the 1986 Local Plan was informally adopted the permanent boundaries of the Interim Oxford Green Belt had not been formally defined and the land in question attained the status of “*Structural Open Space*” under policy CO6 of that Plan where built development would be resisted. In the first fully adopted Local Plan of November 1997 the land became “*Safeguarded Land*” under policy EN3 where development would not be permitted during the Plan period other than for agriculture, forestry, outdoor sport or other uses which preserved the open nature of the land. This designation carried through to the current 2005 Local Plan under policy NE3. Whilst policy NE3 remains in force generally as part of the adopted Local Plan, with the subsequent adoption of the Oxford Core Strategy in March 2011 and Barton AAP in December 2012 the policy is deleted in respect of the Barton site. Policy CS2 of the Core Strategy refers to the change in status of the land.
7. The Oxford Core Strategy establishes the spatial planning framework for the development of Oxford up to 2026, and represents the principal and overarching planning document within Oxford’s Local Development Framework (LDF) suite of planning documents. Within the Core Strategy Barton is identified as a regeneration area under policy CS3, and the current application site as a location for a predominantly residential development under policy CS7. The policy reads:
- “Land at Barton is allocated as a strategic location for a predominantly residential development. Planning permission will be granted for 800 – 1200 dwellings, and infrastructure and amenities to support the new community (including a new primary school). Development will be required to deliver access improvements that integrate it into the wider community and stimulate regeneration in Barton and Northway.*
- Development proposals will be expected to retain the existing allotments and an area of public open space equivalent in area to what currently exists, and to incorporate additional publicly accessible open space and an appropriate buffer zone to Bayswater Brook and A.40.”*
8. The principle of development for the uses now sought is therefore well established with all of the policies within the Barton AAP having a bearing on the case, as well as those policies of the Local Plan and Core Strategy which are listed at the head of this report. In particular the Barton AAP establishes 5 objectives against which the success of the development would depend:

- delivering a strong and balanced community;
  - bringing wider regeneration of neighbourhood estates;
  - improving accessibility and integration;
  - encouraging low - carbon lifestyles; and
  - introducing design that is responsive and innovative.
9. Finally the National Planning Policy Framework (NPPF) published in March 2012 replaces a range of Planning Policy Statements, (PPSs), Planning Policy Guidance Notes (PPGs) and Circulars. Its overarching policy sets a presumption in favour of sustainable development to which there are 3 key roles: an economic one contributing to building a strong, responsive and competitive economy; social, supporting strong, vibrant and healthy communities; and environmental, contributing to protecting and enhancing the natural, built and historic environment. The planning application seeks to respond positively to these requirements.
10. The full list of local and national policies and policy documents relevant to the planning application are set out at the head of this report.

### **Built Forms and Layout.**

11. Although the application is submitted in outline only, it is accompanied by an illustrative Masterplan which indicates how the development is envisaged to be laid out over a period of years. The development is intended to create a new community with its own particular character but which relates also to the wider city context. Essentially three distinct neighbourhoods are proposed, a higher density residential and commercial neighbourhood to the western third of the site; a medium density central core with green links to the countryside to the north; and a lower density area to the east focusing on family housing and including a primary school, recreational facilities and existing allotments. The three neighbourhoods are linked by a central primary street as an extension of Fettiplace Road in the east to a new at grade road junction with the A.40 to the west. The junction would give access to and from the A.40 for all traffic, but to Northway south of the A.40 for bus services, emergency vehicles, cyclists and pedestrians only. A linear park and footpath network extends along the northern edge of all three neighbourhoods, forming a buffer with the countryside beyond. A sketch of the illustrative Masterplan indicating the intended neighbourhoods is attached as **Appendix 5**.
12. The western neighbourhood is intended to be laid out at a relatively high density, generally within the range of 50 to 70 dwellings per hectare (DPH) where buildings would generally be on up to 3 and 4 storeys, with the potential for a fifth storey adjacent to the point of access from the A.40 to form a gateway to the wider development up to 18m in height. Located here would be:
- a new commercial core consisting of a new medium sized supermarket of not more than 2,000 sq m, (similar in size to the existing Tesco supermarket on Cowley Road, Co op in Headington or new Sainsburys at Templar's Retail Park);
  - up to 500 sq m of other commercial floorspace which could be in the

form of shop units, cafes, offices or public house with residential accommodation located above and covered public car parking and servicing for the supermarket at ground and first floor;

- a raised central courtyard located above the car parking; and
- a hotel of up to 120 bedrooms within the same block as an alternative to residential accommodation. (If it were included the number of residential units would fall accordingly below the projected target of 885 units across the whole site).

13. The central core neighbourhood is envisaged to be at a lower, medium density of 40 to 50 DPH with buildings generally up to a maximum of 3.5 storeys, or up to 4.5 storeys for no more than 25% of the buildings where they front onto the primary street. This would allow architectural features and points of interest to be created along the primary east - west route which runs centrally through this part of the site. A clear linear street pattern is proposed throughout this neighbourhood which exploits the fingers of greenery which protrude into it from the open countryside to the north in the form of retained ditches and hedgerows. Where fronting onto the new primary street the residential units would be in the form of flats with balconies.
14. The eastern neighbourhood would be lower in density in the range of 30 to 40 DPH with buildings generally up to 2.5 storeys but with up to 3.5 storeys fronting onto the A.40 and up to 4.5 storeys again along the primary street for up to 25% of its length. It would also include the small enclave to the south - east of the site to the east of the existing allotments accessed from Harolde Close. A more informal layout of development is anticipated in this eastern neighbourhood which would reflect more closely the form of the existing Barton area with which it would interface. To the north of the primary road the new school and community hub would be located on one and two storeys and sit alongside a reorientated recreation ground where the playing field facilities would be shared between the primary school and wider local community.
15. The primary school / “community hub” building would occupy a site of 1.48 ha, with a school building of 3,000 sq m floorspace on one and two levels. A sketch of how it might be laid out adjacent to the public playing fields it would share is attached as **Appendix 6**. The development site would include:
  - a main hall of 180 sq m; 90 sq m of floorspace available during school hours for community activities; and a further 75 sq m occupied by toilets, kitchen and studio, all of which would be available evenings and weekends during term plus daytimes during weekends holiday periods for a variety of community uses;
  - an adult sports pitch and 2 junior pitches (one all weather) and multi use games area (MUGA) would also be available for community use at these same times;
  - a 360 sq m community sports pavilion is also provided to serve the sports facilities;
  - retention of existing allotments measuring 2.5 ha. improved and extended by the inclusion of a community garden to its southern side; and
  - linear park measuring 3.79 ha.

16. The package of public access to the community hub facilities would be secured by joint user agreement included within an accompanying S.106 agreement.
17. Two public “squares” are also indicated, one within the western neighbourhood either side of the primary street to the frontage of the commercial centre, and the second within the eastern neighbourhood, again along the primary street, adjacent to the primary school.
18. Set between the central and eastern neighbourhood is the existing Scottish and Southern Electricity (SSE) sub station which would remain, but with its 33,000 volt and 11,000 volt overhead power lines rerouted underground. The sub station itself would become less visible as a consequence of new landscaping and housing intended to back onto it. The existing public footpath which runs along its eastern edge would be realigned to run through the new street to its eastern side. Moreover where the development faces towards the A.40 either side of the sub station residential development would be set back 25m to 30m behind a service and access road and landscaped buffer zone.
19. Connectivity between the new development and Oxford within the A.40 / ring road is limited. Due to the high development costs in bringing forward the development, including realigning services along the A.40, then the only new crossing created is the new at grade junction to Northway. The development does not preclude the possibility of future access points however and there exists a commitment and funding to upgrade the existing underpass from Barton Road to Barton Village Road. Moreover a tension exists in any event between creating additional connectivity, and the functioning of the A.40 as a significant transport corridor eastwards towards the M.40 and London, and westwards towards West Oxfordshire and Cheltenham. The A.40 is no longer a trunk road but still carries high volumes of traffic along this corridor such that neither the Inspector into the Barton AAP nor the Highway Authority would support a 40 mph speed limit being imposed along this section of the A.40 which would have assisted integration. A 50mph limit is accepted however.
20. In order to deliver high quality in architecture and urban design, a series of Parameters Plans and a Design Code would form a framework to inform and manage detailed designs at the reserved matters stage. These would be in addition to planning conditions and the legal agreement. The Parameters Plans and Design Code would form part of the outline permission if granted, thereby requiring all subsequent reserved matters applications to conform strictly to them before they could be supported and granted planning permission.
21. Some 6 Parameter Plans are submitted:
  - Plan 1 identifies the land to which the application applies, including zones for ancillary highways works which may be required.
  - Plan 2 identifies the general disposition of land uses as broadly discussed above, in particular the residential areas, school and

recreational land, and the commercial area.

- Plan 3 indicates the open spaces and landscaped areas retained and proposed, including tree belts, “greenways”, recreational areas, play areas, existing and extended allotments and public squares.
- Plan 4 relates to movement and access and indicates the principal public vehicular and footpath routes and rights of way as existing, as proposed, and as proposed to be diverted. This includes the primary street, main secondary streets, points of access from Barton and A.40, and cycle links.
- Plan 5 describes the required residential density across the site as also referred to above, with the higher density areas generally to the west where a greater proportion of flatted accommodation would be located in and around the commercial centre created there, with densities reducing progressively to the east.
- Plan 6 relates to building and storey heights, also generally scaling down west to east with the taller buildings at the commercial core up to 18m in height reducing to 11.0m at the primary school and 9.5m for the residential development to the eastern neighbourhood. All these figures represent the maximum heights based on the height of ridgelines to roof structures (excluding chimneys etc), but in the expectation that development is unlikely to be built out to the maximum height across the whole of the application site.

22. The Design Code follows on from where the Parameters Plans leave off by providing detailed requirements as to how individual streets and buildings should be laid out on the ground and relate to one another. It sets minimum standards with the majority of its requirements being mandatory. Permeability and legibility to layouts and continuity and distinctiveness to the public realm, but not uniformity of building types, are critical requirements.

23. Notwithstanding the 3 neighbourhoods and Parameter Plans referred to above, the Design Code imposes detailed requirements across the whole development relating to the semi natural environment as well as across 4 distinct character areas described as “transects”:

- Transect 1: Green Edge relates to areas of lower density development adjacent to areas of informal open space, and coincides generally to the eastern neighbourhood and to the northern edge of the central neighbourhood where it adjoins the linear park along the northern side of the application site.
- Transect 2: Suburban consists of a medium density zone, coinciding roughly to the central neighbourhood, other than where development is proposed directly onto the primary street.
- Transect 3: Higher Density Residential consists in the main of the zone of development along the primary street which seeks to create a strong residential frontage but with the future flexibility to permit commercial uses at ground floor level.
- Transect 4: General Urban consisting generally of the higher density western neighbourhood, including the commercial area.

24. These transects translate into a hierarchy of street types. Thus along the

main primary street buildings are typically proposed to be set apart by 17m to 18m with a 6.1m carriageway, 2.4 m parking bays either side interspersed with tree planting, 2.2 m footways and short frontages of 1.0m to 1.5 private areas as defensible space to individual properties. The carriageway and footways would be set at a single level without kerbs and speeds limited to 20 mph, to emphasise that pedestrians and cyclists have equal priority with vehicular traffic. The street would however permit new and extended bus routes to operate within them. Buildings along this primary street would typically be on 3 and occasionally 4 floors.

25. Adjoining the primary street two secondary streets are identified which would be of sufficient proportions to permit terminating buses on new or extended routes to loop around them for return journeys. These streets are located around the commercial centre to the west and south of the new primary school where building to building distances are reduced to 14.5m with car parking bays to one side of the street only and footways of 2.2m with kerblines and short private areas to buildings of between 0.75 to 1.5m. Buildings would typically be of two storeys for the residential accommodation, but up to 4 or 4.5 storeys for the commercial buildings where there is flatted accommodation above.
26. A third, tertiary level of street would encompass the remaining, and bulk of, the residential areas with 9.0m to 12.0m building to building distances in a cycle and pedestrian friendly mews type of environment designed for speeds of no more than 10 to 20mph. Kerblines would not be present and surfaces would be of porous paving, again with tree planting interspersed with an amount of car parking.
27. The Design Code goes on to define how public areas such as green areas, "pocket parks" and squares fronting the commercial area and primary school are to be laid out, as well as detailing how play areas, car and cycle parking, street furniture and landscaping are also to be set out.
28. Turning to the new buildings themselves, the development is intended:
  - to display traditional building forms with materials in the local vernacular, but with the potential, and intention, for reinterpreting traditional elements in a contemporary fashion;
  - to possess a clear rationale in the treatment of buildings, especially individual houses which in the main would feature pitched roofs;
  - to provide cycle and bin storage and utility boxes designed as an integral part of the whole;
  - that new buildings demonstrate Secured by Design compliance, and to achieve the latest requirements set out in the Code for Sustainable Homes, Buildings for Life Gold Standards and Lifetime Homes standards. Non domestic buildings should attain a minimum BREEAM Very Good and meet the minimum Natural Resource Impact Analysis (NRIA) criteria.
29. A mix of traditional materials is required by the Design Code with red or buff brickwork for the majority of houses, but with some render and natural /

reconstituted stone allowed. To the northern side of the primary street along a short, central section, 100% light / buff brickwork is proposed with the streets extending north towards the northern boundary of the application site possessing a mix of stonework and buff brickwork with a small amount of render permitted. For the gateway buildings anchored at the new access from the A.40, and for the commercial development and primary school, these are intended to contrast with the residential accommodation and be faced in either render or natural / reconstituted stone. On points of detail use of UPVC or GRP is not permitted. Photovoltaics, whilst supported, have to be flush with roof structures and not stand proud of them, ie as an integral part of the roof structure.

30. Overall the purpose of the Parameter Plans and Design Code is to provide the means to create a successful, sustainable and attractive environment in which people can live and work. They seek to ensure that detailed design and implementation is based on sound principles that will help secure this, examining in detail a range of functional requirements. Their effectiveness will determine how the development appears not just internally, but also externally as part of Oxford in its wider setting.
31. On specific points however there is insufficient detail on kerblines at crossover points; little reference to corner buildings; only 30% of proposed houses are required to have chimneys (when 100% may be more appropriate); further consideration may be needed in the detailed choice of materials; and no commitment is given to self build groups. These elements could usefully be included. The Design Code would also benefit from other minor adjustments, whilst there is a need for greater clarity in the use of terminology so that there is no confusion at the reserved matters stage as to what terms such as “informal”, “shallow” and “medium setbacks” are intended to mean for example, and which elements are truly mandatory and which just advisory. And although the Design Code focuses on the internal environment there is less discussion about managing the wider setting.
32. Whilst the Design Code is a thorough and detailed document in the main, equally it is complex to apply. That said, in its generality it is rational and supportable (with minor adjustment) as the principle tool to ensure the development achieves the quality sought for it in the Barton AAP. A condition is suggested requiring the submission of an amended code to encompass the above concerns and other adjustments prior to the issuing of the notice of permission if the planning application is supported by committee. Also, when tested as reserved matters applications are rolled out, further amendment or fine tuning of the Code may be required. A separate condition is suggested requiring the periodic review as the development is built out over a period of years.

### **Residential Development.**

33. The Barton AAP establishes the aim of creating a balanced new community of between 800 and 1200 homes in a mix of different types, sizes and tenures to accommodate differing household needs. The AAP accepted however that

due to the abnormal costs in bringing forward the development, (which included the provision of a new primary school, a major new junction with the A.40 ring road and various on - site constraints), then 50% affordable accommodation in line with the Core Strategy would make the development commercially unviable. A minimum figure of 40% affordable accommodation was therefore established in the AAP. The mix of market and affordable accommodation in terms of the proportion of variously sized units is also established in the AAP and is broadly in line with that of the Balance of Dwellings SPD which applies elsewhere in the City.

34. The planning application complies with these requirements and indicates how they would be met for a development of 885 residential units in line with the illustrative Masterplan:

	AAP	Application					
		No. TOTAL	% TOTAL	Market TOTAL	Market as %Market TOTAL	Aff TOTAL	Aff as % Aff TOTAL
1 bed	5-10%	45	5%	27	5%	18	5%
2 bed	25-30%	265	30%	159	30%	106	30%
3 bed	40-55%	416	47%	239	45%	177	50%
4+ bed	15-20%	159	18%	106	20%	53	15%
<b>Total</b>		<b>885</b>	<b>100%</b>	<b>531</b>	<b>100%</b>	<b>354</b>	<b>100%</b>

35. The numbers of units represent the maximum proposed in the planning application and in the event that a hotel were to be included in the development, then the numbers would be adjusted accordingly, but with the proportions maintained. The AAP also required the affordable accommodation to be distributed across the whole development with a minimum of 35% of the units in any phase of development.

36. The legal agreement securing the affordable accommodation would therefore contain the following detailed requirements:

- minimum of 40% affordable units, all for social rent;
- minimum of 35% and maximum of 60% affordable units within any phase of development;
- mix of units to be: 1 bed - 5% to 10%; 2 bed - 25% to 30%; 3 bed - 40% to 55%; and 4 bed+ - 15% to 20%.
- phasing and distribution to be agreed;
- maximum clustering of affordable units to be 15 houses and 20 flats;
- no more than 60% of market properties to be occupied until 40% of affordable units have been transferred to City Council as affordable housing provider;
- last 10% of market housing not to be occupied until 100% of affordable units transferred to City Council as affordable housing provider;
- allocations policy to follow local lettings policy to prioritise relocation of existing tenants in adjacent neighbourhoods.

37. Any additional affordable units above the 40% figure could be in the form of intermediate, shared ownership or affordable rented accommodation.
38. In addition the Sites and Housing Plan requires that all new dwellings must meet Lifetime Homes standards with at least 5% being either wheelchair accessible or easily adaptable to wheelchair use. Half of that figure should be market housing. The Barton AAP is less prescriptively worded however, stating only that all new homes should be built to this standard as far as possible. In the submitted application 100% of the affordable housing is proposed to Lifetime Homes but only 15% of the market housing. 5% of all the units would be capable of full wheelchair use.
39. Whilst it is welcomed that all the affordable accommodation meets the required Lifetime Homes standard, it is disappointing that a greater proportion of the market housing is not indicated to do so. It is argued in the planning application that with the undulating nature of parts of the site, then additional space within the curtilage of dwellings would be required with detrimental impacts on overall numbers of units to be provided. Such an argument is not fully understood however as much would depend on the detailed layout of the development at reserved matters stage. Certainly officers would welcome the opportunity to increase the proportion of market properties given over to Lifetime Homes standards and a condition is recommended that all residential properties be constructed to that standard unless it can be fully justified why that should not be the case.
40. The planning application proposes that up to 50 of the residential units could be in the form of Extra Care accommodation

### **Highways, Access and Parking.**

41. Context. The application site is located wholly north of the A.40 / Oxford ring road dual carriageway with the nearest junctions on that road being at grade at the Green Road roundabout to the east which gives access to the current Barton residential area plus Stanton St. John and other villages to the north and east within South Oxfordshire, and at the grade separated junction at Marsh Lane to the east which gives access to the A.40 itself plus Elsfield and Woodeaton and villages beyond to the north. The A.40 at this point is currently subject to a 70 mph speed limit. The eastern boundary of the application site is formed by Barton Village Road, which is a two-way residential street, subject to a 20mph speed limit. It runs around the western and southern edges of the existing Barton residential area, becoming North Way before meeting Bayswater Road near the Green Road roundabout. The alternative principal route through the Barton residential area to the west of Bayswater Road is via Fettiplace Road, which runs to the northern side of the area and would form the principle vehicular link to the new development from existing Barton. Its extension would form the new primary street through the proposed development.
42. Pedestrian and cycle access exists to Barton currently via the subway from Barton Road in Headington to a point north of the A.40 near the junction of Barton Village Road and North Way, near the eastern edge of the application

site. Subways also exist beneath the Green Road roundabout. All of the subways are of poor quality and unattractive. Although there are no segregated cycle routes within the existing Barton area a route via the North Way / Barton Village Road subway gives access to a cycle way / footpath along the south side of the A.40 and links via residential streets to cycle routes within the Headington area and beyond.

43. Within the application site a public footpath and bridleway runs south - north along the eastern side of the SSE sub station, leaving the site across the Bayswater Brook and proceeding northwards towards the Sidlings Copse and College Pond SSSI and Elsfield village. This forms an extension to the Stoke Place footpath which runs from Old Headington alongside Ruskin College land on the south side of the A.40, and which is now effectively severed by that road.
44. The existing Barton area is served by the high quality No.8 bus service operated jointly by the two bus companies which links to the city centre via Headington. The No. 8 is a 6 - 7 minute service, (10 minute on Sundays), operated in a circular fashion around Barton from Green Road via Bayswater Road, Waynefflete Road, Stowford Road, Underhill Circus Fettiplace Road, Barton Village Road and North Way.
45. Research accompanying the planning application has abstracted information from the Local Transport Plan and 2001 and 2011 Censuses relating to the Barton and Sandhills ward and the City and County as a whole. The research indicates that traffic on the A.40, Eastern By Pass and London Road has not changed significantly over the decade to 2011 though over the same period the population of Oxford and Oxfordshire has increased by 12% and 9% respectively and car ownership by 6.2%.
46. The number of private cars owned by residents of Barton and Sandhills ward increased by 21.1% however compared to 7% for the City as a whole though the average car ownership per household only increased by 3.2% from 0.94 vehicle per household to 0.97. For the City the average decreased marginally from 0.94 to 0.93 vehicles per household. Despite increased car ownership in Barton and Sandhills, the proportion of car driver trips to work fell over the decade by 1.8% from 45.1% to 44.3%, whilst trips by sustainable modes increased by 6.4% from 39.3% to 45.7%
47. Traffic Generation and Mitigation. To serve the new development a new at grade junction would be created from the A.40 at a point along Foxwell Drive opposite Meadon Hill in the Northway area. The junction would be restricted in the movements possible with left in and left out movements to and from the new development from the A.40 for all traffic, and right in from the A.40 westbound, also for all traffic. Movements across the A.40 between the development and Northway would be restricted to public bus services, emergency vehicles plus cyclists and pedestrians, enforced by camera detection. Within the ring road bus routing through Northway is likely to be eastwards towards Saxon Way and John Radcliffe Hospital, though routing could be taken to the west via Westlands Drive with minor road realignments perhaps required. There would be no bus movements along Meadon Hill. The

junction would be fitted with traffic signal controls and, (subject to confirmation by Traffic Regulation Order, TRO), a 50 mph speed limit imposed along the A.40. Initially this may be imposed by signage only, but with additional controls such as speed cameras introduced later if the restriction is not fully observed. A speed limit of 50 mph would better integrate the development with Oxford within the ring road, whilst a heavily engineered design solution for the junction should be avoided for the same reason. As much of the existing tree coverage and greenery would be maintained as possible and supplemented with new planting as appropriate.

48. Modelling accompanying the planning application predicts traffic generation for 2019 on completion of the development of an additional 435 car trips in the morning peak (8.00 - 9.00 am) and 730 in the evening peak (5.00 - 6.00 pm). Without mitigation, the modelling shows that the development would cause additional queuing in the morning peak on some routes, most noticeably at Marsh Lane (southbound) and at North Way. In the evening peak, the average queue length would increase in particular on Marston Road. The following mitigation measures are therefore proposed, with funding secured by legal agreement:

- changes to the spiral lane markings on the Eastern By Pass entry to the Green Road roundabout and amendments to the timings of the signal controlled junction in order to improve utilisation of the lanes and overall capacity; and
- converting the existing double mini-roundabout at Marston Road / Headley Way / Cherwell Drive / Marsh Lane to a pair of linked traffic signal controlled junctions in order to increase their combined capacity, in particular on the Marsh Lane and Marston Road entries.

49. The modelling shows that with this mitigation in place the status quo would be maintained and a marginal improvement in conditions achieved as there would be a net reduction in average journey times across the network of 26 seconds in the am peak and 4 seconds in the pm peak. Whilst the development is forecast to have different impacts on different roads, overall it would not therefore have a significant impact on the operation of the local highway network generally. Within Barton itself, there would inevitably be increases in traffic flows on some routes, most noticeably on North Way and Fettiplace Road. The modelling shows the increases will be higher in the evening peak than in the morning. However, these roads are relatively lightly trafficked at present and, even with the new development, the overall traffic flows would be lower than on many comparable roads elsewhere in the city.

50. The modelling also examined the potential for 'rat-running' through the development to avoid queuing traffic at the Green Road roundabout. It found little evidence that this would be significant, with a predicted 'rat-running' flow of only 47 trips in the am peak, (of which the vast majority would be heading to the Bayswater Road northbound), and only 17 in the pm peak. A speed limit of 20MPH plus street designs to the primary street controlled by the Design Code would serve to slow such journeys and discourage use for rat running.

51. Overall, given the size of the proposed development, the traffic impacts are

considered to be acceptable with the various mitigation measures in place which generally maintain the status quo whilst encouraging and promoting cycling, walking and public transport as far as possible as alternatives to the use of the private car. Constraints are imposed by only one wholly new crossing of the A.40 being possible at this stage, though the potential may exist for further crossing points in the future, whilst funding is made available to improve the attractiveness of the existing underpass to Barton from Barton Road in Headington.

52. Car Parking. The required car parking to serve new development is set out for residential development at policy HP16 of the Sites and Housing Plan and for non - residential uses at policy TR3 of the Local Plan. Both indicate that the standards should be regarded as maxima. For non - centrally located residential developments outside Controlled Parking Zones, the Sites and Housing Plan requires one allocated parking space per unit, but with unallocated space also provided which can be used flexibly. It is stressed in the documentation that the parking proposed for the development is indicative only however, and that the actual numbers of spaces for each phase will come forward with each reserved matters planning application.
53. Nevertheless the Transport Assessment suggests a total of some 1,653 car parking spaces to serve 885 residential units. This figure is in line with policy HP16 though below the maximum permissible of 1,910 spaces for the intended size and mix of units in the development.
54. However at 397 unallocated spaces the figures show an under-provision where the policy would require a minimum 450 spaces. It is important to provide adequate on-street parking in the development to provide flexibility, given that car ownership will vary with some households not being car owners whilst others may 'spill over' from their allocated provision. It is also suggested in the application that the 5 bedroom market units should be provided with 3 allocated spaces each. This is more than the maximum of 2 permitted in the policy and cannot be supported, and may lead to an impression of sprawling low density development, and which may not be the most efficient use of land. Out of the total provision 5% of homes, (distributed equally across dwelling types and tenures), would be required to include an on - plot space suitable for use by a wheelchair user. These would be the same residential units as the wheelchair adaptable homes. These parking spaces should be of a minimum dimension of 3.6m x 5.4m with side transfer space.
55. In view of the falling proportions of residents in the existing Barton and Sandhills ward who use the private car for their journey to work; the high quality bus services envisaged; and the need to restraint traffic generation in line with established policy, then it is considered that the total figure of 1,653 on and off street residential parking spaces (equivalent of 1.9 spaces per unit) is appropriate to serve the development. There is a caveat however that detailed designs should preclude the possibility of unauthorised fly parking at inappropriate locations across the development site such as on parkland or recreational areas.

56. Furthermore in order to prevent unauthorised commuter parking relating to major employment sites in Headington, a Controlled Parking Zone (CPZ) is proposed. A CPZ can only apply to adopted highways however and additional controls of the same or similar nature will need to be in place for any privately maintained thoroughfares. The extent of the CPZ is not defined at this stage but it is suggested that it be introduced progressively as each phase of development is built out and its access roads are formally adopted as public highway. There are firm proposals to advise incoming residents of the intention to prioritise their parking facilities by introducing the CPZ, and also to support and encourage the use of public transport facilities and other transport modes.
57. In terms of non - residential parking, some 90 car parking spaces are proposed in the off - street car park plus a further 30 in short stay spaces on street within the square to the frontage of the commercial centre. Those to the north side of the primary street at this point are intended to serve residential needs and those to the south short - term parking for shoppers etc. A further 30 spaces would serve the primary school and 54 for the hotel if that proceeds instead of residential accommodation. In view of its peripheral location to the city however this figure would need to be reassessed if it were intended to form part of a reserved matters application in due course.
58. These figures are within maximum standards in the Local Plan. Not all the detail of parking appears to be provided for the sports pavilion or allotments though a small amount is proposed for each. A condition to the outline planning permission would require full details of all parking proposed as part of each reserved matters application.
59. Cycling and Cycle Parking. In view of the high cycle usage in Oxford and the aspiration for a sustainable development it is essential that every opportunity is created for cycling and cycle parking. In this regard it is anticipated that streets within the development would be relatively lightly trafficked, generally with 20 MPH speed limits, making conditions very suitable for cycling. Signposting of cycle routes would also be provided and crossing facilities incorporated into the new A.40 junction to facilitate connection to existing cycle routes within the A.40 / ring road and along its southern side via the existing cycle track there. Two strategic cycle routes are also proposed along the northern and southern fringes of the development. The northern route would run parallel with the northern boundary through the linear park, and Barton Village Road through to the Play Barton recreation area to the east. The southern route would run parallel to the A.40 from the new A.40 junction via the different neighbourhood areas and extended allotments to the junction of Barton Village Road with North Way, close to the north side of the existing A.40 subway. The Oxfordshire County Council Rights of Way team have requested that these routes also become definitive rights of way, which is supported.
60. In terms of cycle parking the Transport Assessment confirms that all dwellings would be provided with secure cycle parking to comply with the standards set out in the Sites and Housing Plan of at least 2 spaces per 2 bedroom unit and at least 3 spaces for every 3 bed unit. A condition is required to ensure compliance

at reserved matters stage and to be alert to the design constraints to provide access to the street without having to wheel cycles through houses or flats.

61. For non residential development the provision for the retail uses is in line with adopted standards in the Local Plan at 26 spaces whilst the hotel if it proceeded would be required to provide bespoke cycle parking for 20% of non - resident staff, or 12 spaces in this case, plus a further space per resident staff. For the primary school provision would be made on the basis of 1 space per 15 pupils, plus 1 space per 5 staff with additional cycle parking for users of the sports pitches. These figures should be regarded as minimum requirements however. Where cycle parking is provided specifically for residents or staff of commercial or other premises for all day parking it should be in covered, secure conditions. Elsewhere the development would benefit from additional casual facilities at appropriate locations, provided on street for visitors and users of commercial and other premises. These can be provided at low cost.
62. Public Transport. The Masterplan accompanying the planning application indicates a layout for the development which would allow bus access into the development site both from the Barton end and from Northway via the new A40 junction. Two bus turning loops are included, one at the commercial centre to the western end of the site, and another near the primary school to the east. All residential properties are intended to be located within a five minute walk of a bus stop. As the Masterplan is illustrative only however a degree of flexibility in terms of bus route provision is required at reserved matters stage to allow for various routing arrangements, namely:
- bus services entering the development site as an extension of the existing Barton route before returning the same way, as now;
  - bus services entering from Northway via the bus only route through the new A40 junction, turning within the site and returning the same way; and
  - bus services entering from Barton, continuing through the site via the primary street and exiting via the new bus-only route at the new A40 junction, or vice versa.
63. The Transport Assessment also addresses the issue of phasing in bus route provision, indicating that during the early phases of the development additional services may not be commercially viable. The accompanying S.106 agreement therefore provides for a public subsidy, declining in its provision as the development is built out and as services become fully commercially viable. An annual subsidy of up to £150,000 is therefore proposed for a 5 year period, with receipts from ticket sales offset against that sum the following year. A final payment of £100,000 for a 2 year period would be provided at the end of the 5 year period, again with an offset arrangement. As the existing Barton services are of high frequency and currently commercially viable, it is anticipated that with the full build out of the development new services would similarly become commercially viable.
64. Travel Plan. The planning application also proposes that Travel Plans be drawn up to encourage sustainable travel options, reducing reliance on the private car. They would seek to build on existing trends towards sustainable trips to work at the expense of car travel, as indicated in recent census data.

Each Plan would be secured by condition requiring details to be submitted and agreed by the City Council as Local Planning Authority in consultation with the Highway Authority. It is envisaged that a Travel Plan Coordinator be appointed prior to the first occupation of any residential property with responsibility for implementing a residential Travel Plan. For non - residential uses the responsibility would lie with those occupiers. In that regard Travel Plans would be required for the primary school, supermarket and hotel if that proceeded.

65. The objectives of the residential Travel Plan would be to:

- ensure that residents are properly informed about the travel choices available to them;
- promote sustainable travel;
- reduce the need to travel by car;
- reduce the number of single occupancy journeys by car; and
- encourage healthy and active lifestyles.

66. The residential Travel Plan Coordinator would be responsible in the first instance for ensuring all new residents are aware of the Travel Plan. A “welcome pack” could include bus and train timetables and maps; details of car clubs; locations of electric charging points to be included in the development; Oxford cycle map; details of period bus fares etc. It is envisaged that the Coordinator would also set up a website with links to external travel information and commission a baseline travel survey after 100 properties had been occupied, or after one year whichever were the sooner. Annual surveys and monitoring reports would also be produced for the lifetime of the build out of the development and submitted no later than 2 months following their completion. A similar approach would be anticipated for Travel Plans drawn up for the primary school, supermarket and hotel, though with specific facilities such as secure cycle storage, provision of changing and showering facilities also required.

### **Local Commercial Centre**

67. A new commercial centre is proposed to be located to the western end of the application site, south of but fronting onto the primary street and with active frontages to the primary street running through the development. A medium sized supermarket up to 2,000 sq m gross is proposed, together with a series of smaller units totalling 500 sq m gross. It is anticipated that 85% of the supermarket floorspace would be given over to convenience goods and 15% to comparison goods. The permission if granted would permit the smaller units to be occupied for a variety of alternative uses which could include retail shops, estate agents, café, post office, building society, takeaway, hairdresser, launderette, public house etc. It is anticipated that the block accommodating the retailing would possess flats above on another 3 floors arranged around a central raised and landscaped courtyard. A rear, covered car park would provide 90 car parking spaces, plus a further 30 short stay on street spaces to the street frontage. Located at this position to the western end of the development the new commercial centre would be along the anticipated bus route and would be intended to complement rather than

compete with the existing neighbourhood facilities at Underhill Circus to the east.

68. The Barton AAP had indicated that the new retail development must demonstrate need, compliance with the “sequential test”, good accessibility by various modes of transport and that there would not be an adverse impact on the vitality and viability of existing centres. Equally it required that it not be visible from the A.40 or act as a destination shopping venue for passing traffic on the A.40. Whilst the new centre does not lie within an existing centre, it does relate to an allocation of a new local centre and can therefore be considered as a sequentially preferable site.

69. To accompany the planning application, a retail impact assessment was undertaken of the Primary Catchment Area (PCA) which comprises the wards of Barton and Sandhills, Churchill, Headington, Headington Hill and Northway, Quarry and Risinghurst, and Marston that together make up the catchment for the Headington District Centre. Within this catchment area the impact on the Headington District Centre was examined together with the local neighbourhood parades at Underhill Circus in Barton, Roundway in Risinghurst, Girdlestone Road in New Headington, Westlands Drive in Northway, Cherwell Drive in, Marston, and Old Marston Road in New Marston. Other larger retailing centres across the city and outside but on its fringes were also taken into account and allowance made for the attraction of a limited amount of trade from outside the area. An assumption was also made that the new supermarket would be completed and open in 2016, though it was recognised that this might be optimistic. Expenditure data was taken from the *Oxford Retail Needs Survey Update (ORNSU)* of 2008, with figures updated further to 2010 prices using information from the *Retail Expenditure Guide* by Pitney Bowen and Oxford Economics. The “design year” for testing the retail impact was 2018 when trading patterns are forecast to be settled, on or about the completion date for the development. The survey work was undertaken before the recent opening of the new Sainsburys supermarket at Templar’s Retail Park, though it is not considered this is likely to have any great impact on the findings of the study given its location some distance from the Primary Catchment Area.

70. The conclusions of the impact study are included in detail as **Appendix 7** to this report. The principal findings in relation to the examined centres were that:

- the impact would not be great enough to cause closure of any existing foodstores;
- there would be no significant impact on the vitality or viability of any existing centre;
- there would be more than sufficient expenditure capacity in Oxford as a whole to support the proposed retail development by the assumed design year of 2018; and
- any marginal loss in sales at existing centres at 2018 would be made up by increased growth in total expenditure by 2021.

71. Overall the applicant’s submitted impact assessment is comprehensive,

considering the overall capacity both within the City as a whole and within the Primary Catchment Area (PCA) for the application site. The analysis of expenditure capacity shows that there will be more than enough convenience goods expenditure as a whole for the proposed retail development.

72. Officers have concluded that the provision of the supermarket and supporting commercial facilities would therefore meet the requirements set for it in the Barton AAP and can be supported.

### **Education and Community Facilities.**

73. Central to the development is the provision of a new primary school to the value of £7.39m located to the west of the recreation land for 1.5 form entry with the capacity for 2 form entry at a later date if required. The school would employ some 30 staff and occupy a site of 1.48 ha. or 2.2ha. in combination with shared community recreational facilities. The intention is that the community hub facilities would operate in parallel with the Barton Community Centre as an extension to that facility. It is anticipated that Barton Community Association would run the activities at both sites.

74. The school building would be located centrally to the extended Barton on the north side of the primary route at a focal point in views along that street from the west and from the south. **Appendix 6** referred to earlier is an illustrative sketch indicating a possible general layout for the school land and adjoining recreation facilities. The Development Specification sets out that the school building itself should be designed to have a minimum height of 6m. and a maximum height of 11m. The Design Code illustrates that the majority of the frontage onto the main street would be “*active frontage - two storey*”. The proposal as suggested is broadly in line with this requirement, with the building addressing the corner either in a two storey structure or a single storey building but with a double height hall at that point.

75. The primary school / community hub building would consist of a total of 3,000 sq m of floorspace with a joint user arrangement making the 180 sq m school hall and 165 sq m of other floorspace including kitchen, adult toilets etc available for a range of community uses during school hours, at evenings, at weekends and out of term time as a “community hub” to provide a range of facilities including:

- day care provision, or if not possible as an off - site contribution of £163,500 to Oxfordshire County Council; and
- early years provision, or if not as an off - site contribution of £69,000 to the County Council.

76. A contribution of £88,500 is also made to improved facilities at Headington Library whilst policy CS15 of the Core Strategy requires development of this site to provide for or contribute towards appropriate primary healthcare facilities either on or off-site. The submitted documentation states that healthcare facilities are not required on site.

77. Overall the provision of a community hub within the school accommodation in this form would satisfy policies CS16 and CS20 of the Core Strategy in that it would

provide suitable provision for a primary school and for new community facilities to support new development and integration within the wider community..

78. The school building itself is most likely to be delivered by the education authority for occupation as an academy school, funded at the developer's expense at a cost of up to £7.39m. The legal agreement accompanying the planning permission would require the provision of the school at a point in the build programme no later than when the development had generated 90 children of primary school age. To accommodate that figure the legal agreement would require that the school be constructed and available before the occupation of the 400<sup>th</sup> residential unit, or such other time as agreed between the parties.

79. Prior to its provision however temporary school facilities of up to 3 classes would be provided, either within the 2 mile catchment area of the development, such as at Bayard's Hill Primary School, or if outside the catchment area with a financial contribution of up to £228,000 towards transport to an alternative site. The temporary school would be available only to children resident within the new development.

80. No secondary school facilities would be provided within the development, but rather a financial contribution of £3.1m made to fund secondary and sixth form facilities off site to serve the development on the basis of 170 secondary school places being generated by the development and 27 sixth form places.

### **Recreational Facilities.**

81. The City Council's Playing Pitch Strategy 2012 - 2026 recognized that the north - east area of the city possessed an undersupply of sports pitches. The Strategy also stressed the importance of securing joint use of school facilities at the Barton development to address additional demand. The current level of provision at Barton consists of:

- 1 adult size grass football pitch
- 1 grass practice pitch
- 1 multi use games area (MUGA) laid as 2 hard surface basketball courts
- 1 disused bowling green
- Sports Pavilion measuring 294 sq m.

82. This level of provision would be replaced by the following:

- 1 adult size grass football pitch: 100m x 64m
- 1 junior / practice pitch provided as 3G synthetic turf pitch with floodlighting: 72 x 46m.
- 1 MUGA: 39 x 26m
- 1 grass pitch within school demise: 82 x 45m
- Replacement sports pavilion measuring 360 sq m.

83. The new facilities would be in the same location as now so would continue to serve the existing Barton community as well as the proposed extension. A joint user agreement with the school would secure community use of the school facilities during weekday evenings, weekends and out of term. The

school hall measuring 180 sq m would also be available.

84. The adult pitch would be laid out so as to possess the potential to upgrade to Hellenic League standard if required, whilst the second, smaller, grass pitch would be within the demise of the primary school and would be for its use during school hours. However it would be available for wider community use at other times. The “junior” pitch would be provided with a synthetic surface with floodlighting, ensuring the facility was available for longer periods throughout the year. Again it would be utilised by the school. The existing MUGA is of poor quality and would be replaced by a new facility with an improved multi use surface and would again be available to both school and community, with the potential for it to be floodlit if required. Works to the existing recreation ground to reprovide the adult pitch etc would be undertaken out of season to minimise disruption to formal league fixtures.

85. For younger children two 400 sq m Locally Equipped Areas for Play (LEAPs) are proposed, one to the eastern side of the development within the linear park, and one within the recreational area. The LEAPS would be aimed at children typically aged 2 to 8 and each would possess a minimum of 9 pieces of play equipment with seating and low level fencing providing a sense of enclosure and to exclude dogs etc. None of the residential properties with the development would be more than 5 minutes walk (or 400m) from one of the LEAPs.

86. Lastly the existing cultivated allotments would remain with improvements provided in the form of fencing, mains power, car parking and accommodation for gardening equipment. To the south of the allotments an additional area is intended to be brought into use as a community garden or as additional allotment plots.

87. This level of recreational provision with joint user arrangements in place for the sports facilities is supported by officers.

### **Landscape Strategy and Public Open Space**

88. The landscape strategy for the Barton development seeks to draw upon the existing landscape context with objectives to:

- maintain existing key landscape features such as mature hedgerows as much as possible;
- address and mitigate the impact of the development on the local landscape;
- retain all public rights of way within the site and create new routes;
- retain and enhance existing habitats;
- provide appropriate strategic landscape planting;
- enhance the open space network; and
- provide additional play opportunities.

89. One of the key and unique landscape features of the development is the proposed linear park extending along the northern boundary of the application site along the line of the Bayswater Brook. It seeks to create an informal

recreational area with cycle and footpath routes extending to Barton Village Road with links through to the Play Barton recreational area to the east. The linear park would occupy some 3.89 ha. in total, or 10% of the development site, and provide both informal and formal recreational areas. The planting of trees, grassland and wildflowers and the creation of flood attenuation ponds along the linear park would also introduce new habitats along the line of the brook in line with policy BA4 of the Barton AAP.

90. Similarly the retention of 3 north - south aligned green corridors (or “greenways”) retaining existing lines of trees, hedgerows and ditches penetrating into the heart of the development would provide physical links with the wider landscape setting and references to the previous use of the land for agricultural purposes. The western greenway for example would be some 283m in length and 20m in width, running from the linear park in the north to a point just north of the A.40 in the south, interrupted only by the primary street running east - west across the application site. The other greenways would not be as long and would be typically 15m in width. The ditches along these greenways would retain existing hydrological and ecological conditions and would not be used for attenuation purposes. As with the linear park the greenways would provide important habitats and feeding corridors for wildlife.
91. Elsewhere, and as indicated above, the existing allotments would be extended to the south, possibly to include a community garden, whilst a 1.9 ha recreation ground would be created with facilities shared with the adjacent primary school. In total 12.56 ha. or 33% of the total site area of the development area of 38.3 ha. is given over to open space in one form or another, as follows:

	Hectares	% of total site area
Total site area	38.03	
Recreation ground	1.9	5.00
Area containing School pitch	0.63	1.66
Allotments (including additional)	3.15	8.28
Community garden	1.17	3.08
Linear park	3.79	9.97
Greenways	1.85	4.86
Pocket Parks	0.07	0.18
<b>Total open space</b>	<b>12.56</b>	<b>33.03</b>

92. In terms of the amount of public open space in relation to the resident population, policy CS21 of the Core Strategy seeks to maintain an overall city wide average of 5.75 ha. per 1000 population. The end population of the development will depend on a number of factors including, for example, whether the full target of 885 residential units and potential population of 2,495 is achieved, and whether a hotel is included at the expense of some of the residential units. Broadly however it is anticipated that the provision of open space would be comparable to provision across the city as a whole and can be supported.

### **Trees and Landscaping.**

93. Although landscaping would not form part of the outline planning permission if

granted, a detailed arboricultural report accompanies the current submission. The report includes a detailed survey of all the trees and hedgerows within the application site which amounts to 213 individual trees, 149 groups of trees and 20 hedgerows. Of the trees 8 are category A as defined by British Standard BS5837:2012, being of high quality and making a substantial contribution to public amenity; 152 category B of medium quality; and 153 of category C low quality. A further 39 individual trees and 10 groups of trees were classified U, ie with less than 10 years life expectancy, being either dead, dying or close to structural failure. **Appendix 8** to this report refers.

94. The report identifies 5 areas of importance in landscape terms:

- Adjacent to the Bayswater Brook where mainly hedgerow specimens are present, plus over mature crack willows of low quality. Some good offsite screening is provided by specimens north of the brook.
- Internal to the site including field boundaries. The hedgerows here are of variable quality. Two grey poplar woodland groups are located to the west of the site and have good long term potential.
- Within the existing allotments and immediately to their east and west. The mainly ash specimens to the west provide a mature backdrop to the allotments, with good quality maple sycamore and wild cherry to the east.
- Adjacent to Barton Village Road. The principal trees here are category A alder and hybrid black poplar, together with category B ash.
- Adjacent to the A.40 corridor. North of the A.40 the tree coverage is mostly field maple with hawthorn to the east, providing good screening. To the south of the road the coverage is mostly of hawthorn hedgerow with mature grey poplar to the south - west close to Foxwell Drive and good quality woodland groups between Foxwell Drive and the A.40. The central reservation consists mostly of unmaintained hawthorn with occasional mature trees.

95. If the development were permitted and laid out strictly as indicated in the illustrative Masterplan, then the proposals would require the removal of a significant number of existing trees and other vegetation, the removal of sections of hedgerow and the replacement of fields with development, all necessarily changing the appearance and character of the landscape. Of the 213 existing individual trees identified in the tree report 24 would be lost as a direct result of the proposed development indicated in the Masterplan. Of these 6 are crack willow pollards that are in very poor structural condition and another 4 trees (2 ash, 1 crack willow and 1 hawthorn) are assessed to be low quality and value. This results in 14 remaining public amenity trees needing to be removed, (4 ash, 5 crack willow, 1 hawthorn, 1 hornbeam, 1 field maple and a sycamore). Of the 149 groups of existing trees, the proposals require 18 to be fully removed with another 3 groups substantially removed. The principal hedgerows within the site, to the northern edge along the line of the Bayswater Brook and the north - south aligned hedgerows intended to penetrate into the development itself, are intended for retention in the main. They will however require careful management if they are to continue to provide not only a visual presence but to retain a role in providing habitat and foraging for wildlife.

96. The Arboricultural Report also recommends that a number of trees not required by the development itself to be lost should nevertheless be removed within 2 years for arboricultural management reasons. These include 25 individual and 3 groups of crack willows. These are outgrown pollards in poor structural condition. The report advises that re-pollarding of these trees is not viable. 8 other trees and 3 groups of trees are also recommended for removal because of their poor condition.
97. In mitigation the report suggests that replacement structural landscaping would be required, providing opportunities to plant new trees in areas of open and green space such as the linear park and other green corridors; along roads and streets; and within garden areas. The submitted Design and Access Statement therefore suggests a palette of species to form the basis of a landscape strategy. These would be predominantly native species and would be appropriate to the development, being based on an examination of the existing landscape and visual context. The key objectives of the landscape strategy are indicated to be:
- to maintain existing key landscape features such as mature trees and hedgerows as much as possible and incorporate them into the development;
  - to mitigate any effects on the local landscape;
  - to maintain all public rights of way within the site and create new routes;
  - to retain and enhance existing habitats as much as possible;
  - to provide appropriate strategic landscape planting to the site's boundaries;
  - to enhance the open space network ;and
  - to provide additional play opportunities.
98. These features would be captured at the reserved matters stage by conditions imposed on the outline permission. Certainly high quality and consistent standards of landscape management would be required across the whole site at that stage if the vision provided by the landscape strategy were to be delivered in the long term.
99. In summary, many of the tree losses are a direct result of the allocation of the site for development and losses cannot therefore be avoided given the nature and extent of the development as identified in the illustrative Masterplan. The Masterplan itself has evolved through pre-application negotiations and consultation, so that effects on trees are minimised with opportunities provided to plant new trees to mitigate the losses. Although the number of trees and hedgerows lost is not insignificant, they are relatively few in relation to the size and wider context of the development. In bringing forward detailed landscaping proposals however there remain matters which may require further attention.
100. Firstly the Barton Village Nature Area to the south - east corner of the development site has good public access with the trees around its boundaries providing a pleasing backdrop to adjacent housing. This part of the site has been quarried in the past so that it has an undulating ground profile where development is likely to require extensive ground modelling and widespread removal of trees. The trees and other vegetation that grow here are not only important for visual amenity but provide a range of habitats for wildlife. Care

should therefore be taken in the design and layout of the development at this point to ensure that effects are minimised as far as possible and mitigated by new planting.

101. Secondly removing, rather than re-pollarding, relatively large numbers of old crack willow pollards will have a significant effect on the appearance and character of the landscape. It also removes existing and potential habitats for wildlife which are associated with the dead and decaying wood in the boles of the trees. Officers would recommend that the management of these trees should be given more detailed consideration as part of the landscaping proposals accompanying the reserved matters applications to follow if outline planning permission is granted.
102. Lastly in relation to tree pits required for planting within residential streets, linking tree planting to surface water drainage systems should be explored. Planting pits can be used to intercept and store surface water runoff with the added benefit of improving the underground growth environment for street trees. It is disappointing that this possibility has not been considered in the submission.

### **Landscape Setting and Visual Impact.**

103. The National Planning Policy Framework, seeks to ensure that those aspects of the historic environment that hold significance should be sustained. The guidance supporting these policies goes on to explain the importance of ensuring that there is an understanding of the significance which the historic environment holds and how it is valued to be able to assess the impacts. If impacts are predicted to be harmful then there needs to be a justification, measured in terms of public benefit to outweigh that harm, unless it can be mitigated or eliminated by design. The adopted Core Strategy and Barton Area Action Plan acknowledge that the benefits to the wider Oxford community outweigh any harm in allocating the current application site for development. The AAP does however incorporate advice and policies to ensure that the development respects the landscape, its historic and architectural characteristics, and context. The Core Strategy refers at paragraph 3.4.46:

*“Whilst the comments about the area’s rural character are noted, given the severe shortage of available land for development in Oxford, this is not considered to be of such intrinsic importance as to prevent any future development.”*

104. The historic core of Oxford sits on a gravel terrace above the surrounding floodplain. This elevates it in views from the surrounding countryside and in views across the city. The 19th and early 20th century suburbs by contrast are mostly obscured in views on lower lying land and screened by intervening vegetation. The ring of medieval villages around Oxford, mainly sited on higher ground and on spring lines, now absorbed within the city’s administrative area, (and to varying degrees themselves now surrounded by suburban development), help to explain the settlement pattern of the area and their agricultural origins. These villages retain characteristics of their rural and agricultural roots and of their subsequent gentrification by 18th and 19<sup>th</sup> century businessmen from the

city, with the development of a number of villas and other large houses set in spacious grounds. Old Headington is one such village

105. The views of Oxford's historic core have high significance and the viewing places also have significance for the history of the view and how it has been recorded over time. During the 20<sup>th</sup> century viewers will have witnessed a variety of changes to Oxford's setting with the development of the 20th century suburbs, (in particular its rapid post war growth associated with the car industry), the loss of some 19th century suburbs, and the development of the city's hospital and medical research facilities. These changes, a part of Oxford's history and identity, have not directly impacted on the views of the historic core, but they have changed the wider setting.
106. There are 10 protected view cones of Oxford, which represent a selection of the many views from surrounding hills of the dreaming spires and domes and towers, recorded in words and pictures since the 17<sup>th</sup> century. One of these views is from Elsfield, a long view down onto Oxford city centre, looking over an agricultural landscape. The application site is to the east (left) of this view located beneath Headington Hill and below the development of the John Radcliffe Hospital, which sits on the skyline. To either side of the application site are the 20th century suburban developments of New Marston, Northway and Barton.
107. The application site itself retains evidence of an agricultural landscape with field boundaries and hedgerows that have been in place since at least Parliamentary enclosure at the beginning of the 19<sup>th</sup> century. These fields once ran up into Old Headington, but have since been truncated by the A40, which in this section of the ring road runs in an almost straight line, ignoring the landscape structure and contours. Subsequent roadside planting has helped to screen much of the road and its traffic. In views over the site from Elsfield and the footpath network that traverse the valley side, the green and wooded nature of the backdrop to Old Headington appears almost seamless. In views over the application site from Old Headington, there is visual connection with the rural landscape, including Elsfield and the isolated farmsteads which helps understanding of the village's rural origins and Oxford's rural hinterland. The A40 is more visible and intrusive in these views however.
108. As a conservation area Old Headington has high significance, as does Elsfield to the north within South Oxfordshire's administrative area. The relationship of the application site to Old Headington is that it forms part of the rural setting of the village, containing physical evidence of the historic field patterns and understanding of the village's agricultural origins. Views of the village nestled in amongst the wooded hillside are possible from the footpath network leading down from Elsfield and hold aesthetic value - the church, visible amongst the trees, and the Rookery (Ruskin College) visible above its walled garden and open fields. The current field pattern and hedgerows to the application site form the fore and middle ground to these views. Also in the view are the developments at Barton and Northway and the John Radcliffe Hospital, which means that the application site represents the only surviving element of the agricultural landscape immediately south of the Bayswater Brook. From within Old Headington village itself however this wider setting is generally not apparent and the character of the

village derives from the mix of cottages and houses that line the intimate network of lanes.

109. The planning application is accompanied by a series of technical documents examining the existing characteristics of the site and its role within this wider landscape setting. Using accepted professional and technical methodologies these studies also examine the nature of change proposed and what impacts those changes would have on the landscape character, views, heritage assets and their settings. The conclusions in those reports are broadly that the magnitude of change would be significant and the effect adverse. The degree of change is accepted, given that the site is allocated for development in adopted Core Strategy and Barton AAP and that the existing setting to the conservation area will change too.
110. How this change is perceived and understood will rely to a great degree on the quality and extent of the landscaping and how it is designed to integrate with the layout (rather than merely filling spaces between buildings). Of equal importance is the design and appearance of those buildings that will be visible in certain view points and how they sit within their new landscape and wider setting. From the north, Elsfield village and the surrounding footpath network, the new development will be seen within a wide landscape context. Closer to, from the footpaths surrounding the site the buildings will be larger components and will have to bear closer scrutiny. The landscaping, neither existing nor as proposed will conceal them entirely. Elsfield is a designated conservation area and Wick Farm a listed building. Whilst these are not within the city's administrative area it is worth noting that the studies accompanying the application assess the impact on these heritage assets. The impacts derive from the visibility of Oxford and its changing suburbs, as experienced in views from these locations.
111. Beyond the grant of any outline planning permission maintaining scrutiny and quality of delivery of development will be critical elements in the success of this new community. Vulnerable issues include:
- the proposed dwellings in the south east corner facing towards the A40 which are proposed to be up to 3.5 storeys, though it is suggested that the majority of the houses in this part of the development are likely to be 2 to 3 storeys. This part of the site is on higher ground and development here would be more visible in views into the Old Headington Conservation Area. If all built out to the maximum 3.5 storeys they would be likely to intrude on the green backdrop of Old Headington below the church impacting on it accordingly. At any reserved matters stage this potential impact needs to be carefully assessed to avoid or minimise adverse impacts.
  - the commercial core of the development, at the lower north west end of the site is proposed to accommodate buildings up to 18 metres high with a chimney up to 26 metres high. Tall buildings in this proposed commercial core would result in a substantial change to the existing character and would threaten to add to the adverse impact of the John Radcliffe Hospital unless their mass is carefully articulated and detailed, with careful choice of building materials. This would not

conceal these structures but should help to ensure that the impact on the view and wider landscape character is mitigated.

- the view down Meaden Hill will overlook the new at grade junction across the A.40. This is also the part of the development site where the buildings will be the tallest. The view would change substantially from what currently exists, changing the landscape characteristic and limiting longer views of the green hills beyond the application site. Highway engineering requirements for the road junction would threaten to introduce highway 'clutter' of traffic signals and signs as well as road markings into the foreground. Whilst designing a safe access is paramount, care will need to be taken to ensure signage and lighting is kept to the minimum and new landscaping introduced to soften the impact. The new view needs to provide points of interest in streetscape and greenery, and a sense of visual and physical continuity between Northway and the new development.

112. In summary the proposed development involves a significant change to the landscape character of the site and change to the setting of heritage assets. The degree of change has already been assessed and accepted as a part the Barton AAP process and in allocating the site for development. Some aspects of these changes need to be carefully managed through the reserved matters stage by securing high quality design and use of materials, based on an understanding of the wider context in which the site sits. National policy and advice explains that public benefits to be derived from a development are a consideration and permission can be forthcoming if those benefits outweigh the harm. There is also the potential to minimise or mitigate those impacts through design and careful use of landscaping, but this is predicated on having a robust mechanism to ensure delivery of buildings and a landscape of suitable quality. The Design Code and Parameters Plans are important guiding documents, but the standards they set out should be viewed as minima which new development should seek to match or exceed.

## **Biodiversity**

113. National planning policy and the City Council's own policies together provide a framework to make decisions on the impact of planning applications on biodiversity interests. The National Planning Policy Framework (NPPF) indicates that planning authorities should minimise impacts on biodiversity from new development and take the opportunity to incorporate biodiversity enhancement. There is also legislation and European directives to avoid harm to biodiversity interests and to have regard to the purpose of conservation of habitats. Moreover the Core Strategy at policy CS12 indicates that:

- Sites of Special Scientific Interest (SSSI) must be protected from any development that would have an adverse impact;
- no development should have a significant effect upon a Site of Local Interest for Nature Conservation (SLINC) other than in exceptional circumstances where the importance of the development outweighs the harm, and where it is possible to compensate for the damage caused by providing adequate replacement habitat; and

- species and habitats of importance for biodiversity are to be protected from harm, unless the harm can be properly mitigated.
114. Policy BA19 of the Barton AAP also requires that a plan for avoiding any harm to the Sidlings Copse and College Pond SSSI located 600m to the north of the development site be submitted.
115. The current proposals require the loss of grassland currently of County wide biodiversity value together with the removal of a significant number of trees and some hedgerows, whilst lighting, drainage and disturbance by domestic cats etc all have the potential to affect wildlife using the site. There also exists potential to impact on the Bayswater Brook Site of Local Interest for Nature Conservation (SLINC) through increased usage. In mitigation the proposals include the creation of a linear park with sustainable drainage features, grassland sown with wildflower species, and areas of scrub managed in a naturalistic way. This is supported by a commitment also to restoration and improvement works to an off - site floodplain meadow as compensation for the loss of meadows on site.
116. There are therefore 3 particular areas of concern addressed in the proposals:
- loss of lowland meadow grassland;
  - potential impact on Sidlings Copse and College Pond SSSI; and
  - wildlife habitats.
117. Loss of Lowland Grassland Meadow. The development involves the loss of 11.5ha. of lowland grassland, (referred to as MG4 grassland), described in this case as being of County level significance. The England Biodiversity Action Plan has a policy to not reduce lowland grassland any further, and in this case a scheme of compensation is proposed by improving land off - site to the same level of biodiversity importance as that lost. The selected location must enjoy similar hydrological and soil conditions; should form part of a network of similar type communities; and be managed appropriately with long term monitoring secured. As it may take a minimum of 15 years for compensation land to attain a similar level of biodiversity interest, then a site larger than that lost should be sought. In this case a site of 11.0ha. has been identified for compensation plus an adjoining parcel of land of 4.0ha. The land is owned by the Oxford Preservation Trust and falls within the Cherwell Valley west of the River Cherwell between the Marston Ferry Road and A.40. The land is already identified as of nature conservation interest. Negotiations have already taken place with the Trust which is supportive of a scheme of compensation. A “Grampian style” planning condition is therefore suggested if permission is granted, securing the required work and future management at the applicant’s expense.
118. Impact on Sidlings Copse and College Pond SSSI. The SSSI lies approximately 600m north of the application site and is owned and managed by Christ Church and Bucks, Berks and Oxon Wildlife Trust (BBOWT). It is a site of some 22ha. and designated due to its mosaic of habitats, including calcareous fen, broadleaved woodland scrub, reedbed, open water and acid and limestone grassland. The variety of habitats present support a wide range of over 400 plant species and fauna, including a diverse assemblage of invertebrates. Despite an expressed intention by the applicant to improve security at the site to prevent

inappropriate access, in response to public consultation both the college and BBOWT have expressed concerns that the site would become more vulnerable to damage as a possible consequence of dog fouling, trampling of plant species etc due to the presence of an enlarged residential population nearby. Currently the planting of thicket forming shrubs, new post and rail fencing, signage and regular checking and repair of boundaries as part of routine management of the site is proposed. Again a positive dialogue is under way with the college and BBOWT and it is suggested that a further Grampian style condition be imposed requiring a more detailed scheme of protective works and future management regime be brought forward and adopted.

119. Wildlife Habitats. The Environmental Statement accompanying the planning application uses guidance from Government and the Chartered Institute of Ecologists and Environmental Managers (CIEEM) to assess the significance of the wildlife present at the site which currently has interest for a variety of species. A badger sett is located on the land which is required to be relocated to allow the development to proceed. It is intended to close the existing sett and create a new one within the linear park. However a licence for closure and creation of a replacement sett can only be obtained from Natural England with a planning permission in place. The intention would therefore be to seek such a licence following the gaining of outline permission. In total the proposed development would include at least 6.99ha. of suitable foraging habitat on the site, compared to 5.4ha. known to be used by the current social group.
120. In relation to bats the survey work undertaken highlights the importance of the Bayswater Brook corridor and hedgerows orientated north - south across the site, especially towards the centre and western sectors. The survey revealed at least 9 species of bat foraging and / or commuting over the area, with the common pipistrelle the most frequently recorded. None of the survey work recorded patterns of activity indicating the presence of bat roosts on site, although the presence of transient roosts could not be ruled out. The proposed development enhances the Bayswater Brook corridor by the creation of the linear park and largely retains the hedgerows as the “greenways” within the development. Nevertheless in view of the phased nature of the development, further surveys would be undertaken periodically to ensure opportunities for roosts and for foraging are maintained. In this regard it is intended to provide bat boxes on mature trees at suitable locations along the Bayswater Brook corridor, consisting of at least 2 boxes designed specifically for hibernating bats, and 20 designed for summer use by a variety of bat species. Opportunities would also be taken to integrate bat boxes into new buildings where appropriate in line with established Core Strategy policy CS12. Details of street lighting columns, design of cowls and intensity of lighting should be considered so as to avoid spillage onto semi natural areas.
121. Surveys of bird life undertaken in 2007 recorded an assemblage of bird species typical of the habitat types present. Species recorded included bullfinch, starling, song thrush, linnet, reed bunding, marsh tit and yellowhammer. Incidental bird records collected in 2012 also included the presence of a kingfisher on one occasion, little owl on 3 occasions and a kestrel frequently hunting over the site. Overall birdlife is assessed as being of local biodiversity

significance. To accommodate future bird life following construction of the proposed development at least 40% of the hedgerow and woodland habitat would be retained. It is important however that grassed margins to the hedgerows are also included and maintained as suggested in the documentation for the benefit of all wildlife. Whilst new tree planting and landscaping would also provide new habitats for nesting, there would also be an increased threat from the domestic cats of new residents. The retention of dense shrub layers where they already occur and the creation of new dense shrubbery to provide suitable nesting habitat which is more difficult for domestic cats to penetrate is therefore suggested. Details would come forward at the reserved matters stage, but locations would include, for example, the western section of the linear park adjoining existing broad leaved woodland where public access would be more limited.

122. A further survey in 2012 recorded the presence of 300 terrestrial invertebrate species present, including a number of scarce species, particularly in the Bayswater Brook corridor and the lowland grassland area. However it is proposed to fully compensate for the loss of the lowland grassland elsewhere, as indicated above), whilst the creation of the linear parkland area along the brook would deliver a positive impact on biodiversity. Two of the invertebrate species found on site are acknowledged to be of national conservation importance. The careful management of the linear park should provide suitable habitat for them.

123. Also in 2012 a survey for reptiles recorded the presence of one species only, grass snake. One adult was recorded but also juveniles, indicating breeding activity in the area, associated with the Bayswater Brook corridor. Only a low breeding population of grass snake was therefore assessed as being present. As part of the landscaping for the development, habitats would be created designed specifically for reptiles, by the creation of uneven margins along treelines and hedgerows and wetland habitat

124. Overall officers are satisfied that with the full mitigation and compensation measures in place as a consequence of the creation of new MG4 lowland grassland off site, new linear park, hedgerow retention, and new tree and landscape planting that appropriate habitats would be created and maintained to ensure that the biodiversity of the locality can be maintained and enhanced.

### **Archaeology.**

125. An archaeological desk based assessment was undertaken for the application site in 2009. This assessed the site as having moderate potential for Neolithic and Iron Age remains based on the previous recovery of a single Neolithic Axe from within the site and the proximity and character of known Iron Age activity. The assessment also noted the potential for Anglo - Saxon remains in the south - eastern part of the site, which is located 50m from a poorly recorded Early Anglo - Saxon burial and sunken building noted during the construction of the Ring Road. The site was also assessed to have a high potential for medieval and post-medieval agricultural features. An analysis of available aerial photographs tentatively identified two features as of possible archaeological interest (features of enclosure type). The denuded remnants of ridge and furrow earthworks were also plotted. A geophysical survey was subsequently undertaken in 2011. The

survey identified a number of parallel linear anomalies in the western and central parts of the site which were interpreted as areas of former ridge and furrow. A number of possible discrete archaeological features were also noted. Subsequently in September and October 2012 an archaeological evaluation was undertaken on the accessible parts of the site, comprising the excavation of 58 trial trenches. The current sports field, the Barton nature reserve area and small areas identified as having high biodiversity value were not evaluated at this stage because of the physical and environmental constraints.

126. The archaeological evaluation identified a dispersed pattern of ditches, although there were concentrations of these features in the northern, central and eastern parts of the site. Neither of the features tentatively identified in the 2009 aerial survey analysis were confirmed by the trenching. The earliest identified feature was a small ditch near the site's eastern edge, from which was recovered two shards of Roman pottery. No other Roman features were encountered, although a small assemblage of residual Roman pottery was recovered from later features and deposits, indicating some activity in the vicinity during this period.
127. Most of the encountered archaeological remains dated to the medieval period, from the 12th to the 15th centuries. They indicate the presence of an agricultural landscape of fields, paddocks and droveways, possibly associated with the site of the putative medieval settlement to the north of Bayswater Brook. Artefactual evidence was scarce, with most of the pottery recovered from the site coming from the northern central area, to the north of the electricity substation. The evaluation also demonstrated that the site had been reorganised in the early post-medieval period, when a system of ridge and furrow ploughing was established. The earthworks associated with this system survived until relatively recently as 19th-century land drains were noted in many of the furrows, indicating that the ridges were still visible at this time.
128. The site also displays a number of hedgerows which meet the criteria for 'historical importance' under the 1997 Hedgerow Regulations. These are the 1802 Parliamentary enclosure boundaries and the hedge line along the length of the Bayswater Brook which marks an historic parish boundary. The 1802 boundaries represent the last coherent block of Parliamentary Enclosure within an otherwise largely developed landscape. Parameter Plan No.3 indicates that the existing trees and hedgerows within the site would be substantially retained (including the hedgerow along the brook) and would contribute to much of the underlying structure to the development, thus preserving the general character and layout of the current field pattern.
129. The National Planning Policy Framework states the effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing applications that affect directly or indirectly non designated heritage assets, a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset. Where appropriate local planning authorities should require developers to record and advance understanding of the significance of any heritage assets to be lost (wholly or in part) in a manner proportionate to their importance and the impact, and to make this evidence (and any archive generated) publicly

accessible. An appropriately worded condition to be imposed on the outline permission if granted is suggested.

130. The scope of the archaeological investigation will depend on the details of the reserved matters applications and the extent and character of the proposed ground works. It is likely that trial trenching will be required in the area of Barton Nature Reserve followed by further mitigation if appropriate. In addition a number of areas where a concentration of medieval features were identified may require a strip and record excavation or watching brief. Finally any substantial reworking of the Bayswater Brook channel may require targeted recording because of the potential for environmental deposits.

### **Water Resources, Flooding and Drainage.**

131. Policy BA17 of the Barton AAP requires that:  
*“An on - site and off - site water network supply and drainage strategy must be produced by the site developer to ensure that appropriate upgrades are in place ahead of occupation of the development. Planning conditions will link the start and phased development of the site to the availability of wastewater infrastructure capacity and the capacity of receiving watercourses. Development of any phase must not result in an adverse impact on water quality or any increased risk of sewer flooding as a result of the additional wastewater flows from the development.”*
132. This policy was brought forward in the context of existing sewers surcharging at certain times in the Borrowmead Road area of Northway, south of the A.40. There are 2 related elements to drainage infrastructure which flow from the condition: foul sewerage drainage and surface water drainage.
133. Foul Sewerage Drainage. In preparation of the planning application the applicants commissioned Thames Water to undertake a foul water impact study of the network in the vicinity of the development to identify what improvements to the network would be required to accommodate the additional foul water flows from the development so as not to increase the potential for sewer surcharging in the Northway area. In doing so Thames Water undertook an extended monitoring exercise of flows in the existing system.
134. The main sewerage network upstream of the application site is 300mm in diameter and serves the existing Barton area fed by 255mm diameter sewers to smaller streets. From Barton the sewer runs along the line of Bayswater Brook before turning south and passing beneath the A.40 where it increases in size from 300mm to 375mm in diameter. Thames Water’s assessment of the hydraulic loading of the existing foul system indicated that the 300mm diameter sewer had limited capacity; was 2m deep; and was prone to surcharging elsewhere during storm events. It would not therefore be capable of accommodating the additional flow from the new development without improvement and upgrading. In this regard the peak flow from a development consisting of 885 residential units, primary school and commercial centre was calculated at 28.12 litres per second (l/s).

135. In order to accommodate this increased flow Thames Water examined the possibility of a new trunk sewer or pumped solution but concluded that no suitable connection point within a practical distance was available. Any new sewer would also have to cross the A.40 incurring considerable disruption and adding significantly to costs. As a consequence a “fill and drain” attenuation system was proposed involving the installation of additional storage capacity of 1900 cu m which would store foul water flows during storm events and then pump effluent back to the existing public sewer at later date when there were capacity in the system. The attenuation system would contain two storage areas along the line of the brook, with a section of the existing on - site sewer also being diverted.

136. Thames Water stressed that the details were indicative for this outline application stage however and would be required to be refined during detailed design. Nevertheless the Thames Water report concludes:

*“Thames Water Utilities were commissioned to undertake a study to assess the impact of proposed development of around 1000 new homes at Barton on the foul water drainage sewer network from the site and through the surrounding area; and identify potential solutions that would not be detrimental to the local area or increase the incidence of localised flooding. As part of the study Thames Water carried out flow monitoring of the existing sewers in the area to feed into the modelling of the sewer network. The study has identified a single deliverable solution to accommodate the additional development foul water flows. The solution is to provide underground foul water storage that will retain sewage on site during periods of heavy rainfall when the existing network is at capacity and discharges at a controlled rate during dry periods when capacity is available in the network.”*

137. On this basis officers have accepted that a foul system to accommodate the new development can be provided without causing additional capacity problems elsewhere. Subject to a condition requiring details of the attenuation system to be approved by the City Council as local planning authority in consultation with Thames Water the foul system proposed is accepted in principle.

138. Surface Water Drainage. The application site slopes from a high point of 92.8m AOD in the south - east corner to a low point of 62.15m AOD adjacent to the Bayswater Brook. Although a foul water sewer runs along the northern side of the site parallel to Bayswater Brook, there are no surface water sewers crossing the land. Nor does any part of the site fall within Flood Zone 3b,(ie functional floodplain where water has to flow or be stored in times of flood), though a small area measuring 3ha. (or 8% of the development site) falls within Flood Zone 3a where there is a high probability of flooding. No building works are proposed within this area. The site has not been affected by recent flood events in Oxford, and it is accepted that in flooding terms the development is located at a “sequentially preferable” site in terms of the technical guidance to the NPPF.

139. That technical guidance recommends allowance be made in drainage schemes for new development for a 30% increase in peak rainfall intensity up to the year 2115. The planning application seeks to achieve this requirement with a sustainable drainage strategy (SUDs) based on a typical lifetime for commercial development of 60 years, and for residential accommodation of 100m years, and which mimics natural catchment processes as much as possible given the constraints of the application site.
140. Ground conditions are such that groundwater levels are high across the site ranging from 0.04m to 9.51m below ground level which means that direct infiltration of surface water would not be possible as this could lead to a future flood risk. Instead the surface water strategy is based on a single catchment discharging into the Bayswater Brook, but at a controlled rate to avoid flooding. This is achieved by permeable surfacing being incorporated into all parking areas, private courtyards etc, conveying surface water via swales and cascaded attenuation facilities to the brook.
141. Essentially the system consists of two underground storage facilities located beneath the recreation ground, each with a volume of 1,770 cu m and situated outside the agreed fluvial 1 in 100 year flood level associated with the Bayswater Brook in order to avoid loss of attenuation storage during flood conditions. Two smaller attenuation features of 170 cu m and 175 cu m are also provided elsewhere. From these facilities water would be released at a controlled rate into balancing ponds along the line of the Bayswater Brook which would form landscaped features of the linear park. From here water would in turn be released into the Bayswater Brook at a controlled rate. The balancing ponds would be lined to prevent ingress of groundwater which would reduce their capacity.
142. Other features of the sustainable drainage strategy include green roofs to the retail and commercial buildings, plus school building if possible; filter strips and swales; geocellular storage; and rainwater harvesting. It is intended to include water butts to all residential properties for irrigation, and similarly to utilise water in storage facilities for irrigating the recreation ground.
143. Overall the strategy is designed to meet the 1 in 100 year plus 30% for climate change criteria, but would not utilise existing drainage ditches across the site as these already convey flows from off - site third party land into the Bayswater Brook. The proposed sustainable drainage strategy would also reduce flood risk to existing local residents, creating a minor positive effect.
144. The Environment Agency accepts the strategy proposed to address surface water drainage and raises no objection to the planning application subject to the development being carried out in accordance with the principles embodied in the Flood Risk Assessment (FRA) accompanying the planning application, in particular that:
- no building is permitted within the 1 in 100 year plus 30% for climate change flood extent;
  - finished floor levels should be no lower than 450mm above the 100 year plus 30% for climate change level;

- surface water catchment control features should be located outside the 1 in 100 year plus 30% for climate change extent;
- outfalls and storage arrangements to be tested at design stage;
- there should be limited and specified rates and volumes of surface water run off only, as indicated in the FRA;
- details to be submitted of how contamination risks are to be mitigated.

145. Conditions to the planning permission would capture these requirements, and officers are therefore able to support the surface water strategy accordingly.

### **Sustainability and Energy.**

146. In the event of outline planning permission being granted, followed by a series for reserved matters permissions, then it is anticipated that the development would be constructed over a period of years commencing in 2014, with a likely completion date of 2019. During that period the Building Regulations will become increasingly challenging in terms of energy and other requirements. In the period between 2014 and 2016 the residential elements of the development will be required to meet Part L1A 2013 of the Building Regulations. At the time of writing the 2013 Regulations had not come into force but are likely to require achieving either an 8% or 25% aggregate reduction in regulated carbon emissions across developments compared to the 2010 standard, and to also include minimum Fabric Energy Efficiency Standards (FEES). The FEE standard represents the maximum allowable amount of energy used to heat and cool the dwelling per metre squared of the dwelling's area. The 2013 Regulations are in turn planned to be replaced in 2016 by Part L1A 2016 which will also require the achievement of "carbon compliance" to meet "zero carbon" standards.

147. For non domestic buildings, Part L2A 2010 of the Building Regulations apply, again to be replaced shortly by Part L2A 2013. The new Part L2A is expected to require either an 11% or 20% reduction in aggregate carbon emissions beyond 2013 compared to the 2010 requirement, with a Government aim of achieving zero carbon standards for all non domestic buildings from 2019. This approach is consistent with the NPPF which, inter alia, states that in order to support the move to a low carbon future, local planning authorities should:

*"when setting any local requirement for a building's sustainability, do so in a way consistent with the Government's zero carbon buildings policy and adopt nationally described standards."*

148. In addition to the Building Regulations and NPPF, at the local planning level policy CS9 of the Core Strategy requires the submission of a Natural Resource Impact Analysis (NRIA) which in turn requires a checklist of measures to be submitted and a minimum score achieved in each of 4 separate categories: energy efficiency, renewable energy, materials and water resources. In addition policy BA12 of the Barton AAP requires that the outline planning application demonstrates how the development would optimise energy efficiency by minimising the use of energy through design,

layout, orientation, landscaping and materials and by utilising renewable and /or low carbon technologies. A full NRIA for each phase of development would only be possible at the reserved matters stage however with the production of detailed designs.

149. In responding to the NRIA requirement to provide 20% renewable energy on site the supporting documentation to the planning application refers to a district heating system for the residential elements of the development having been considered but ruled out on the basis of the additional cost to be borne by individual householders, including those occupying the 40% affordable properties. Other solutions to meet the 20% requirement were also considered, including the use of solar thermal hot water heating systems and air source heat pumps. Neither alone would achieve the 20% on site renewable target however. The favoured solution for the residential development is therefore proposed to be a standalone one consisting of high efficiency condensing boilers together with photovoltaics (PV) to all roofs. The overall design and layout of the development as suggested in the illustrative Masterplan is conducive to such an approach. PVs would not only provide a significant amount of electricity with low running costs but would also be technically simple to install, and was a solution favoured at the development forum during the public consultation phase prior to submission of the planning application.
150. Whilst the applicant's position is noted, and the use of photovoltaics and condensing boilers welcomed, Officers would wish to maintain a dialogue to explore the potential still for the inclusion of a district heating system and not rule it out at this stage. A condition is suggested requiring that a district heating system should be brought forward to serve the development unless there are cogent and persuasive arguments justifying that it be set aside in favour of alternative approaches to the use of energy. Indeed for the commercial centre a combined heat and power (CHP) system is proposed with sufficient thermal storage to provide approximately 50% of the hot water heating load. The potential may exist to extend that CHP system to the residential flats within the same block of accommodation and / or the hotel if that were included. The primary school is indicated to be too far from the commercial centre to be served by that CHP system and a standalone biomass boiler system is proposed instead to achieve the 20% renewable requirement on site. Again Officers recommend that the energy requirements for the school should be met through the district heating system unless it can be fully justified that it is not appropriate.
151. As a footnote to the suggested approach to on - site renewables, the policy requirement of 20% provision of energy needs refers to the total energy associated with development proposals. The Energy Statement submitted with the planning application refers only to regulated energy use and therefore excludes the energy required for plug-in appliances for such uses as cooking, washing clothes and entertainment for example. When the full NRIs are submitted alongside the reserved matters applications, it will be expected that total energy use will be the criterion adopted. As with a potential district heating system, any departure from such an approach would require the fullest

justification. In any event a full NRA will be required to accompany the reserved matters application, and to include measures relating the full range of issues identified in the NRA SPD. Attached as **Appendix 9** is the applicant's response at this stage as to how the range of NRA requirements would be addressed.

### **Environmental Statement.**

152. The planning application is supported by an Environmental Statement (ES), which considers the likely environmental effects of the development and proposes, where necessary, measures to mitigate any adverse effects that might arise. The ES is necessary because paragraph 10(b) of Schedule 2 of the Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2011 will normally require an Environmental Impact Assessment (EIA) to be undertaken for any mixed use urban development project in excess of 0.5 ha. The EIA is an important procedure for ensuring that the likely effects of a new development on the environment are understood and taken into account before development is allowed to go ahead. Where the ES reveals that a project will have an adverse impact on the environment, it does not follow that planning permission must be refused however. It is for the local planning authority as decision maker to determine each planning application on its merits within the context of the development plan, taking account of all material considerations, including environmental impacts.
153. As part of the EIA process the applicant prepared a "Scoping Report" that indicated the range of topics that it was intended to consider in the ES. This was sent to the Council as local planning authority with a formal request for the local planning authority's "Scoping Opinion" under Regulation 13 of the EIA Regulations. Its response (its "Scoping Opinion"), (which is informed by the comments of various statutory bodies who were consulted by the local planning authority), largely concurred with the scope of the applicant's intended assessment but highlighted the topics that, in the local planning authority's opinion, particular attention should be paid to.
154. The EIA Regulations indicate that where an EIA is required, information must be provided by the developer in an ES. The ES must contain the information specified by Regulation 2(1) and in Schedule 4 to the Regulations. The advice of the Secretary of State is that local planning authorities should satisfy themselves that submitted ESs contain the information specified in Schedule 4. In this context the ES has been critically reviewed by Officers using criteria that are intended to test whether an ES contains the requisite information required by the EIA Regulations. Of particular interest in relation to the ES in this case are requirements to protect the local environment as far as is practical during the construction period, as well as transport issues and matters relating to sustainability, drainage and the water environment, biodiversity, landscaping, public realm etc. Some of these matters are also considered in the preceding text.
155. Attached as **Appendix 10** is a summary of the environmental impacts of the development. It provides a description of the key impacts that have been predicted for each topic area; outlines the mitigation measures proposed;

identifies the significance of the residual impacts; and provides a short officer commentary. Impacts can be adverse, neutral or beneficial and their significance will depend upon their magnitude and the sensitivity of the receiving environment (or receptor) to change. The criteria that are used to categorise the significance of impacts vary according to the nature of the topic being assessed and on occasions they may include subjective judgements about the baseline situation and the magnitude and significance of predicted impacts.

### **Other Matters.**

156. Employment Opportunities. The AAP indicates that that the City Council will use planning conditions to ensure that local people and businesses benefit from the opportunities that are generated by the new development. The planning application includes an assessment of the likely socio economic benefits resulting from the development. It forecasts that the proposed development would generate some 12 full time equivalent (FTE) construction jobs at the anticipated commencement of the development in 2014, rising to 109 FTE nearing completion in 2019. The Barton Oxford LLP has also agreed to explore potential links to education and community training through the development of an Employment and Skills Plan. This would specify the provision of training to improve vocational and employability skills and would involve the LLP itself, contractors and future occupiers to deliver new jobs and business opportunities. A condition is suggested accordingly. In addition, procurement of contracts for the new development will promote local businesses for each phase of the development. A further condition is suggested.

157. In terms of direct employment generated from the new development it is forecast that the anticipated end population of 2,495 would give rise to the creation of an estimated 208 FTE jobs. For example some 82 jobs are estimated to be created at the proposed supermarket and 30 at the primary school with others at the other commercial outlets and hotel if that proceeds. A large proportion of the new employment is anticipated to come from the new development itself or wider local area. The new employment created is considered to represent a significant beneficial effect of the development for the local area.

158. Construction. If permitted the development would be subject to Construction Environmental Management Plan (CEMP) which would address issues such as working hours, signage, site hoardings, piling methods, earthworks, routing arrangements, arrival and departure times for construction vehicles, control of dust and emissions, vibration, materials storage, waste management etc. It would need to fully comply with British Standard BS5228: *Noise and Vibration*, which would require, for example, equipment and vehicles to be shut down when not in use; semi static equipment to be located as far as possible away from noise sensitive areas; mains electricity to be used rather than generators wherever possible; and cutting or other noisy operations undertaken through off - site fabrication wherever possible. Piling where required should be by the less intrusive bored method such as the Flight Auger method.

159. During construction there would be various site clearance operations which would have the potential to create dust or other emissions. The impact of these operations would be minimised by, for example, vehicles carrying loose aggregates being covered; completed earthworks being covered and vegetated as soon as possible; windbreak netting or screening erected around material stores where appropriate; material stockpiles being dampened during dry weather conditions using water sprays; use of dust suppressed tools; and not permitting unauthorised burning of materials anywhere on site.
160. The CEMP will be required as a condition of planning permission, with principal contractors and plot developers also registering with the Considerate Contractors Scheme.
161. Lastly it is intended that construction traffic access to the site would enter via a temporary access junction directly off the eastbound carriageway of the A.40 close to the existing electricity sub station, with the routing of vehicles not permitted to pass through sensitive areas such as residential streets.
162. Air Quality. Oxford was declared an Air Quality Management Area in 2010, which includes the current application site. The main influence on local air quality at the application site is emissions from road traffic using the local road network, especially the A.40 adjacent to the site and the A.420 London Road which lies between 800m and 1400m to the south. The main pollutants of concern for road traffic sources in this case are nitrogen dioxide and carbon monoxide. The City Council currently monitor concentrations of nitrogen oxide at a number of key locations in and around the Green Road roundabout approximately 800m from the application site at its closest point. These are at Roundway, Green Road, and Lydia Close. Analysis of results indicates that measured roadside concentrations at these locations are close to or above the statutory objective level with an upward trend from 2008 to 2012 but decrease in 2012.
163. The Environmental Statement accompanying the planning application predicts annual mean levels of concentrations of nitrogen dioxide particulates at 79 relevant sensitive locations assuming the following transport measures are in place, as discussed earlier in this report:
- conversion of Marston Road mini roundabouts to traffic signal controlled junction;
  - amended lane markings and signal timings at Green Road roundabout;
  - new / extended bus services into the new development;
  - reduction in speed limits on the A.40 to 50mph between Green Road and the Marsh Lane junction; and
  - travel plan measures.
164. With these in place, on completion of the development the quantitative assessment indicates that concentrations of nitrogen dioxide and airborne particulates would decrease at all assessment points in and around the application site to a level well below the national air quality objective, creating

a permanent, direct, long term beneficial effect on local air quality. This is primarily due to the reduction in speeds on the A.40 from 70mph to 50mph between Green Road roundabout and the Marsh Lane junction, alongside the other transport and Travel Plan measures proposed.

165. It is suggested that a condition be imposed accordingly requiring the applicant to undertake a scheme of additional air quality monitoring upon completion of each phase of development.

166. Noise Attenuation. The noise climate relating to the application site is dominated by road traffic, especially from the A.40, although noise from the sub station can also be heard from close proximity. Noise monitoring was carried out at a number of locations across the site in November 2011. From this mapping software was used to zone the site according to environmental noise exposure categories (NEC), using those suggested in the former Planning Policy Guidance Note 24 (PPG 24) which specified noise levels for each category:

- NEC A - Noise need not be considered as a determining factor in granting planning permission, although the noise level at the high end of the category should not be regarded as a desirable level.
- NEC B - Noise should be taken into account when determining planning applications and where appropriate conditions imposed to ensure an adequate level of protection against noise;
- NEC C - Planning permission should not normally be granted. Where it is considered that permission should be given, (for example because there are no quieter sites available), conditions should be imposed to ensure a commensurate level of protection against noise.
- NEC D - Planning permission should normally be refused.

167. The findings indicated that during daytime conditions the majority of the site fell within categories A or B with only a strip of land along the A.40 and a small enclave adjacent to the sub station within category C. Under night time conditions category B extended to cover most of the site with no part of the development within category A and the strip along the A.40 and at the sub station within a marginally extended category C. At no time was any of the application site within category D.

168. These findings assume a maximum speed limit on the A.40 of 50mph, and are based on an open site. In reality however the majority of buildings would be screened by those closest to the A.40, reducing noise levels elsewhere accordingly, and no buildings would be constructed within a minimum of 25m of the A.40.

169. For buildings within category A no additional noise mitigation is considered to be necessary by the applicants. For dwellings falling within categories B and C it is suggested that various design solutions are considered such as orientation of properties, (especially those closest to the A.40), so that rear gardens are screened by the buildings themselves; arrangement of the internal layout such that the less noise sensitive rooms (bathrooms, kitchens etc) overlook the noise source; and sound insulation by double glazing etc is

fully incorporated. The internal noise levels would aim to meet the following targets:

- night time internal (bedrooms): 30 dB LAeq 8 hr.
- daytime internal (living rooms): 35 dB LAeq 16 hr.

170. This approach is supported by Environmental Development colleagues subject to the imposition of a condition which requires the submission of a detailed noise mitigation scheme to protect the development from noise emanating from the A.40 and from the sub station. This should be subject to verification on completion of each phase of development to ensure the measures are successful.

171. Contamination. Whilst the application site is predominantly agricultural there is also a large electricity sub station central to the site plus derelict farm buildings and most significantly an area of landfill at the existing recreation ground. The landfill here extends to up to 4m in places. The land in this area was raised from natural ground level in 1951 using inert, semi inert and biodegradable waste materials which was subsequently levelled, covered with topsoil and completed as the recreation ground in 1958. The Environmental Statement accompanying the planning application has identified that parts of the site are impacted by contamination, including elevated concentrations of metals. Localised hotspots of organic contaminants were also noted. Small areas of made ground also exist west of the sub station and to the south - east corner of the development site off Harolde Close.

172. Overall contamination was found in the groundwater and soil, and gas recorded. As the initial stages of a phased risk assessment have already been undertaken then a planning condition is required to secure its completion with details of remediation, subsequent verification and validation and long term monitoring supplied in due course. A further condition is recommended to impose long term controls through the removal of permitted development rights to control any development involving groundworks within the landfill areas.

173. Waste. Using Building Research Establishment (BRE) indicators, it is estimated that a development consisting of 885 residential units, commercial centre, recreation land, primary school and other works would generate a total of 15,305 tonnes of construction waste which would require management throughout the construction period. The largest elements would be packaging (25%) and timber / wood (19%). Waste would be located away from sensitive areas with colour coded skips to segregate different types of waste. Hazardous waste would be stored in secure bunded compounds in appropriate containers, as would any fuels, oils or chemicals. Best practice would be aimed for by adopting the following targets:

- at least 85% of non - hazardous construction waste to be diverted from landfill for re use or recycling;
- not more than 9 sq m construction waste per 100 sq m of residential use;
- not more than 6.2 sq m of construction waste per 100 sq m of commercial and retail uses;

- not more than 8.3 sq m of construction waste per 100 sq m of educational uses; and
- not more than 9.3 sq m of construction waste per 100 sq m of commercial office uses.

174. Public Art. A public art strategy is required of the development in line with established planning policy requirements for major developments. The strategy would form the framework from which individual projects would emerge which could, for example, be in the form of specific pieces at landmark locations; projects involving the local community and / or school; or linked elements such as a country park trail through the linear park. They would be intended to form an integral part of the townscape of the development, to integrate with the public realm and landscaping.

175. The strategy would be required by planning condition, developed by an artist appointed by the Barton LLP. Development and implementation of the public art strategy would be carried out in consultation with the City Council.

### **Conclusion.**

176. The proposals represent a major urban extension to the built up area of the city, responding positively to the urgent need for additional housing and supporting facilities, and to the objectives set out in the Barton AAP. At the head of this report those objectives were listed and are returned to now, as follows.

177. Deliver a strong and balanced community. The proposals comply with the AAP policies on housing types, size and tenure to provide a good mix of housing for different needs, whilst the community hub will provide the required primary school facilities and flexible spaces for a range of community uses. In addition, with the creation of linked formal and informal public open spaces a network of public routes would exist, facilitating walking and cycling within the site (and beyond), encouraging healthy living. The retail provision proposed is of a scale in line with that of the AAP policies, being complementary to existing facilities rather than competing with them.

178. Bring wider regeneration of neighbouring estates. The proposals include improvements to cycle and pedestrian access between Barton and the rest of Oxford and make provision for bus services through the site and improved bus services to the wider community. The development would also include new community facilities available to the wider local populace. The scale of the development project and commitment to local jobs and training would offer local people new economic opportunities, providing it is allied to other projects and schemes.

179. Improve accessibility and integration. The Design Code sets a framework to ensure that the new neighbourhood is legible and walkable, offering comfortable and safe opportunities to walk and cycle. The proposals also include a new at grade vehicular access from the ring road and a new link for pedestrians, cyclists and emergency vehicles across the ring road to Northway, the John Radcliffe Hospital and city beyond. The existing underpass would be improved, with the

potential existing for future connections to the Headington area south of the A.40. The indicative Masterplan shows how the new housing along the primary street extending through to the junction with Fettiplace Road and facing onto Barton Village Road could be provided, integrating it with the existing Barton community. In this regard the Design Code demonstrates how the development can be designed to face outwards towards neighbouring areas to help with the sense of integration.

180. Encourage a low carbon lifestyles. The combination of providing attractive walking and cycling options and building properties to be energy efficient and use renewable energy brings with it the potential for new residents to lead a more low carbon lifestyle. In addition, new bus routes and relatively modest car parking levels and requirement for Travel Plans can help to encourage alternative modes of travel to the private car. The built environment can only ever play a part in changing lifestyles, but the measures included in the proposals go some way to assist with the objective.
181. Introduce design that is responsive and innovative. The indicative Masterplan shows the creation of 3 distinctive neighbourhoods within the site ranging from higher density mixed use at the commercial centre to the west, through medium density residential development in the centre of the site, to lower density residential development with the primary school / community hub at the Barton edge of the site. Overlaying this structure is a green network of spaces that also include sustainable drainage systems.
182. Overall therefore the proposed development has the potential to respond positively at the reserved matters stage to the challenges set for it in the Barton AAP. The intention would be to build out the development over a period of years commencing at the western end of the site. Although all the details of the development are not known at this outline stage, a clear framework is established by the Parameter Plans, Design Code, planning conditions and accompanying legal agreement for a series of successful reserved matters applications to follow in due course. These controls will ensure that the development is of an appropriate quality and provides facilities for a new and expanded community to grow and evolve.
183. It is regretted that greater connectivity across the A.40 could not be achieved as part of these proposals but the potential exists for future connections, with the new access to Northway accommodating new and extended bus services to facilitate integration with the wider Oxford community. Landscaping to mitigate trees lost to construction is provided for; issues relating to any potential for flooding and drainage addressed; and impacts on archaeology, biodiversity and other environmental considerations in hand. A minimum of 40% of all residential units would be affordable accommodation to rent and distributed across the site.
184. Committee is recommended to support the proposals accordingly.

## **Human Rights Act 1998**

Officers have considered the Human Rights Act 1998 in reaching a recommendation to grant planning permission, subject to conditions and an accompanying legal agreement. Officers have considered the potential interference with the rights of the owners/occupiers of surrounding properties under Article 8 and/or Article 1 of the First Protocol of the Act and consider that it is proportionate.

Officers have also considered the interference with the human rights of the applicant under Article 8 and/or Article 1 of the First Protocol caused by imposing conditions. Officers consider that the conditions are necessary to protect the rights and freedoms of others and to control the use of property in accordance with the general interest. The interference is therefore justifiable and proportionate.

## **Section 17 of the Crime and Disorder Act 1998**

Officers have considered, with due regard, the likely effect of the proposal on the need to reduce crime and disorder as part of the determination of this application, in accordance with section 17 of the Crime and Disorder Act 1998. In reaching a recommendation to grant planning permission with an accompanying legal agreement, officers consider that the proposal will not undermine crime prevention or the promotion of community safety.

**Background Papers:** Application 13/01383/OUT

**Contact Officer:** Murray Hancock

**Extension:** 2153

**Date:** 30<sup>th</sup> August 2013