

HEARING STATEMENT MATTER 16

STRAT13: Land north of
Bayswater Brook



South Oxfordshire
LOCAL PLAN 2011-2035
www.southoxon.gov.uk/newlocalplan

Matter 16: STRAT13 - Land North of Bayswater Brook

16a: Are there local level exceptional circumstances justifying the release of this land from the Green Belt?

Council Response:

1. Yes, there are local level exceptional circumstances justifying the release of this land from the Green Belt. These are set out at paragraph 4.107 of the Plan:
 - The site's proximity to major employment locations and a wide range of services and facilities means that there is high potential to support travel by walking and cycling;
 - the site is well positioned to connect with public transport provision in Oxford City; and
 - the development of this site will help to provide for Oxford City's unmet housing need, including affordable housing need, close to where that need arises.
2. The Green Belt Topic Paper (PSD07) goes into further detail and specifies that the site¹ is in close proximity to a number of major employment locations and the University. It is also in close proximity to a wide range of services including Oxford's three NHS hospitals, with the John Radcliffe just 800m (straight-line distance) from the site boundary. The potential links to these facilities mean that this site can provide opportunities to deliver significant benefits in terms of access to healthcare and other service provision.
3. Regarding the local level exceptional circumstance of public transport opportunities, the location of the site provides an opportunity to maximise the potential for sustainable transport modes due to its proximity to Oxford, which

¹ Please note that the allocation is made up of the main Bayswater Brook site (which was initially assessed as two separate sites; Lower Elsfield and Wick Farm – before being refined into a smaller site during the site selection process) and the smaller site at Sandhills – where 'site' is used, it refers to the entire allocation, unless specifically referenced

would support a number of the Plan's Strategic Objectives. The Strategic Site Selection Background Paper Part 2 (TOP06.1) advised that one of the reasons the site² should progress to the next stage of assessment was because of high potential to encourage travel by sustainable modes, particularly by bus. The site assessment process identified that there were opportunities for this site to connect via improved sustainable transport modes to key destinations around Oxford. For example, the site is 4.5km from Oxford Station and 5km from Oxford Parkway station (distances given are straight-line distances). Furthermore, both the Oxford Bus Company and Stagecoach have identified the potential for a viable bus route to Oxford City centre via Marston Road or Banbury Road and that development at this site could readily be incorporated into the City bus network³. Oxfordshire County Council has since identified the possible contributions required for bus services to connect to the City centre and the Oxford Eastern Arc and these are set out in the Infrastructure Delivery Plan (IDP) (PSD27).

4. Regarding the local level exceptional circumstance relating to unmet housing need including affordable housing, we have worked with the other Oxfordshire authorities to identify a strategy to deliver the unmet housing need arising from Oxford City, set out in the Statement of Common Ground with the Oxfordshire Authorities (SCG01). The duty to deliver part of this need has had a significant impact on, not only the Council's spatial strategy, but also the choice of sites allocated for development.
5. As set out in the Green Belt Topic Paper (PSD07), the fact that the site can help to meet Oxford's unmet housing need adjacent to the City, is in itself a local level exceptional circumstance. It is noted that the Cherwell District Council Inspector stated in his 'Post Preliminary Hearing' letter (PSD34) dated 29th October 2018 that:

² At this stage of the process the assessment was made in relation to two sites: Lower Elsfield and Wick Farm

³ Para 8.1.29 of Strategic Site Selection background paper part 2 (TOP06.1)

'it is clear to me that meeting Oxford's unmet need could, as a general principle, constitute an exceptional circumstance that would justify an alteration to Green Belt boundaries.'

The Inspector later confirmed this statement in his 'Post-hearing Advice Note' (PSD35) dated 10th July 2019, stating:

*'I agree that the pressing need to provide homes, including affordable homes, to meet the needs of Oxford, that cannot be met within the boundaries of the city, in a way that minimises travel distances, and best provides transport choices other than the private car, provide the exceptional circumstances necessary to justify alterations to Green Belt boundaries.'*⁴

6. Additionally, in the Inspectors' Report for the Oxford Local Plan 2036⁵ (PSD33), the Inspectors concluded that altering the Green Belt within the City's boundaries was justified *'to allow for the provision of homes to help meet the city's housing needs'*. It is considered that the release of Land North of Bayswater Brook from the Green Belt for the same reason is also justified to assist with contributing to this unmet need, close to where it arises and this includes affordable housing.
7. The Green Belt Topic Paper (PSD07) concludes that the location of the Bayswater site lends itself to linking with existing development within Oxford including the adjacent Barton Park development. The housing provided here will be crucial to relieving some of the high housing need effects that are felt in the City⁶. This is consistent with the Spatial Strategy as it would be allocating a strategic site adjacent to the boundary of Oxford helping to meet Oxford's unmet need in close proximity to the City and reflects policy STRAT1: *"Meeting unmet housing needs of Oxford City on strategic allocations adjacent to the boundary of Oxford near to where that need arises"*.

⁴ page 340

⁵ Page 26

⁶ Para 94 of the Green Belt Topic Paper (PSD07)

8. Meeting Oxford City's unmet need close to where the need arises, coupled with the potential for sustainable transport and the proximity of the site to existing services and facilities provide the local level exceptional circumstances to release land from the Green Belt.

16b: Does the plan adequately lay the framework for the sustainable development of this strategic site?

Council Response:

9. The Plan adequately lays the framework for the sustainable development of the site at Land North of Bayswater Brook. Policy STRAT13 is a positive, enabling and sustainable policy that seeks to retain flexibility to meet changes in circumstances. Furthermore, the other policies within the Plan and the assessment process undertaken add weight to sustainability considerations and ensure that the Plan as a whole lays the framework for the sustainable development of Land North of Bayswater Brook. The strategy for this site is also consistent with the Plan's overall spatial strategy (STRAT1) to principally focus development at Science Vale and sustainable settlements and to allocate strategic sites on the edge of Oxford to provide housing for Oxford's unmet need, close to where the need arises (NPPF para 182). The edge of Oxford sites also link to the Knowledge Spine, which has a strong relationship to the Science Vale⁷.
10. The Bayswater Brook allocation was made following a thorough site selection process⁸. Initially it was assessed as separate sites (Lower Elsfield and Wick Farm incorporating Sandhills). The site selection process identified potential site constraints and made recommendations to maximise the sustainability of the allocation, such as merging the two initial sites and refining the allocation boundaries to a much reduced area reflecting the evidence available. Of particular relevance are the tables in Appendix 3 of the Strategic Site Selection Background

⁷ Para 8.1.11 on page 66 of Strategic Site Selection background paper part 2 (TOP06.1)

⁸ As described in Strategic Site Selection background papers part 1 and part 2 (TOP06 & TOP06.1)

Paper Part 2 (TOP06.1) which set out the SWOTs⁹ of the wider Lower Elsfield and Wick Farm sites, providing additional detail on the constraints of the sites, which needed to be addressed. Appendix 6 of the Strategic Site Selection Background Paper Part 2 (TOP06.1) made recommendations applicable for the Bayswater Brook site, which are reflected in the Plan and form the basis of a sustainable framework for development at this site.

11. The Sustainability Appraisal (SA) (CSD04.2) assessed each of the potential strategic sites (including STRAT13) against an agreed framework of 17 SA objectives and decision aiding questions. This was undertaken separately to the site selection process. The SA is a means by which the Council can ensure that the likely social, environmental and economic effects of the Plan are identified, described and appraised. It is a key element to helping local plans deliver sustainable development.
12. Overall, the site performs positively against Sustainability Appraisal (SA) objectives. Whilst potential negative effects (either minor or significant) were identified against some SA objectives, these are pre-mitigation and once mitigation is considered this could remove or would lessen the negative effect. The SA assessment process, alongside the site selection process, has allowed the Council to establish where we need to incorporate further requirements to ensure the sustainability of each policy. For example, the SA concludes that STRAT13 is anticipated to have a mixture of significant positive and significant negative effects in relation to SA Objection 9 relating to cultural heritage¹⁰. There is a potential significant adverse effect due to its proximity to heritage assets, but the policy incorporated the findings of earlier SA recommendations which identified there could be opportunity to secure the long-term future for the 'at risk' Well House¹¹. Policy STRAT13 therefore requires the repair of the Grade II* Wick Farm Wellhouse and has led to the SA also identifying a significant positive effect.

⁹ Strengths, Weaknesses, Opportunities and Threats

¹⁰ Page 236 of Sustainability Appraisal (CSD04.2)

¹¹ Para 7.4.51 on page 189 of Sustainability Appraisal (CSD04.2)

13. This policy is not standalone and works in combination with the policies within the Plan as a whole to lay the framework for the sustainable development of this site. Achieving sustainable development means that the planning system has three overarching objectives (economic, social and environmental objectives), which are interdependent and need to be pursued in mutually supportive ways (so that opportunities can be taken to secure net gains across each of the different objectives)¹². The wider policies in the Plan of relevance to bringing forward STRAT13 sustainably are set out in Table 1 below:

Table 1: Local Plan framework for the sustainable development of Land North of Bayswater Brook

Local Plan Policy	Contribution to sustainable development
STRAT1: The Overall Strategy	STRAT13 is consistent with the overall sustainable strategy of the Plan as set out in STRAT1. By delivering housing at Land North of Bayswater Brook the site will deliver social benefits by contributing towards meeting the unmet housing needs of Oxford City near to where that need arises, fulfilling a key aim of the strategy.
STRAT2: South Oxfordshire Housing and Employment Requirements	STRAT2 provides social and economic benefits by setting out that housing and employment requirements are met over the plan period. Delivering 1,100 homes at Land North of Bayswater Brook will help to address Oxford's unmet housing need where it has arisen and also helps to meet Oxford's contribution to the Growth Deal, as required in paragraph 2 of STRAT2.
STRAT4: Strategic Development	STRAT4 ensures that new development proposals at strategic allocations enable a comprehensive scheme to be delivered that supports the creation of sustainable developments.

¹² NPPF 2019, page 5, paragraph 8

<p>STRAT5: Residential Densities</p>	<p>STRAT5 optimises density on the strategic allocations to ensure an efficient use of land taking account of site constraints and local circumstances. It is important for the environment that the density of development is optimised at Land North of Bayswater Brook in accordance with paragraph 137, criterion b) of the NPPF¹³, due to the site's location within the Oxford Green Belt.</p>
<p>STRAT13: Land North of Bayswater Brook</p>	<p>Policy STRAT13 itself sets out specific requirements which lay the foundation for the sustainable development of the site. It addresses the:</p> <p>Social considerations with:</p> <ul style="list-style-type: none"> i) affordable housing provision and mix ii) development densities in accordance with Policy STRAT5 iii) sufficient educational capacity iv) sufficient contributions towards enabling primary healthcare services to address patient growth associated with the development vi) all necessary transport improvements as set out in the Infrastructure Delivery Plan <p>Economic considerations with:</p> <ul style="list-style-type: none"> v) provision of convenience floorspace that meets the day-to-day needs of the local community, without impacting on the vitality and viability of existing centres vi) all necessary transport improvements as set out in the Infrastructure Delivery Plan <p>Environment considerations with:</p> <ul style="list-style-type: none"> vii) a schedule of works as agreed with the Council for the

¹³ Page 41 of NPPF (2019)

	<p>repair of the Grade II* Wick Farm Wellhouse identified on the 2018 Heritage at Risk.</p> <p>viii) a development that ensures that there will be no demonstrable negative recreational, hydrological or air quality impacts on the Sidlings Copse and College Pond SSSI.</p> <p>More environmental considerations are contained in the latter part of the policy which deals with the delivery of a masterplan</p>
H9: Affordable Housing	Social benefits by seeking 50% affordable housing on sites adjacent to Oxford City which will help address Oxford's pressing need for affordable housing
H11: Housing Mix	Social and economic benefits by seeking a mix of dwelling types and sizes to meet the needs of current and future households
H12: Custom build and self-build	Social and economic benefits by providing plots for self and custom build. As Land North of Bayswater is a strategic allocation, 3% of the proportion of developable plots will be set aside for self-build and custom build.
H13: Specialist Housing for older people	Social benefits by providing housing to meet the needs of older people
INF1: Infrastructure Provision	Social, economic and environmental benefits by requiring necessary infrastructure. The infrastructure required for Land North of Bayswater Brook is set out in the Infrastructure Delivery Plan (PSD27) ¹⁴ . STRAT13 also includes a specific recommendation to provide social

¹⁴ Pages 23 and 47 of IDP (PSD27).

	benefits in part 2.vi) of the policy ' <i>all necessary transport improvements as set out in the Infrastructure Delivery Plan</i> '.
TRANS1b: Supporting Strategic Transport Infrastructure	Supports investment in transport infrastructure required to ensure development at Land North of Bayswater Brook is sustainable. Criterion iii) of TRANS1b ensures that the Council will work with Oxfordshire County Council and others to support sustainable transport measures that improve access to and from the site at Bayswater.
TRANS2: Promoting Sustainable Transport and Accessibility	Promotes sustainable forms of transport including public transport, walking and cycling. Criterion iii) of TRANS2 ensures new development is designed to encourage walking and cycling, not only within the development, but also to nearby facilities, employment and public transport hubs; STRAT13 also requires: a. provision of high quality pedestrian, cycle and public transport access and connectivity to Oxford City Centre and other major employment locations, particularly the John Radcliffe Hospital and Oxford Science and Business Parks; b. provision of sustainable transport connectivity improvements to overcome severance caused by the A40 Northern Bypass;
TRANS4: Transport Assessment, Transport Statements and Travel Plans	Social and environmental benefits by providing for improved access by public transport, cycling and walking and the reduction of car travel and transport impacts Provides for all relevant forms of transport, including accessible transport for disabled people
TRANS5: Consideration of	Social and environmental benefits by providing for safe and convenient access for all users, including cyclists and pedestrians

Development Proposals	Provides for appropriate transport infrastructure, including cycle parking, public transport infrastructure, electric vehicle charging points and adequate parking for all users.
INF2: Electronic Communications	Economic, social and environmental benefits by supporting new ways of working and appropriate infrastructure to allow full fibre broadband in new development in accordance with paragraph 112 of the NPPF .
INF4: Water Resources	Environmental benefits by providing for adequate water supply, surface water and foul drainage and sewage treatment capacity
ENV1: Landscape and Countryside	<p>Environmental and social benefits as the policy protects important landscape features and sets a framework for decision making for relevant development.</p> <p>On the Land North of Bayswater Brook site, a masterplan will be required to demonstrate it has been informed by landscape impact assessments, minimises visual impacts on the surrounding countryside and provides an appropriate buffer to the Oxford view cone.</p> <p>This is also necessary to provide a permanent defensible Green Belt boundary around the allocation and a strong countryside edge, which retains and incorporates existing hedgerows and tree belts, particularly where this assists with the creation of a new Green Belt boundary.</p>
ENV2: Biodiversity – Designated Sites, Priority Habitats and Species	Environmental benefits by protecting designated sites, habitats and species. On the Land North of Bayswater Brook site, development should ensure that there will be no demonstrable negative recreational, hydrological or air quality impacts on the Sidlings Copse and College Pond SSSI. (see answer to question C for further information on ecological impacts).

ENV3: Non Designated Sites, Habitats and Species	Environmental benefits by protecting non designated sites, habitats and species and provides for net gain of biodiversity.
ENV4: Watercourses	Environmental benefits by protecting the function and setting of watercourses and their biodiversity. In the case of Land North of Bayswater Brook, the southern edge of the site is delineated by Bayswater Brook. The Bayswater Brook is designated as a Site of Local Importance to nature conservation in the Oxford City Local Plan. Criteria 2 of ENV4 states that development should include a minimum 10m buffer zone along both sides of the watercourse to create a corridor favourable to the enhancement of biodiversity.
ENV5: Green Infrastructure in New Developments	<p>Environmental and social benefits by providing for additional Green Infrastructure and protects existing Green Infrastructure. On the Land North of Bayswater Brook site, STRAT13 states that development must provide a network of green infrastructure that:</p> <ul style="list-style-type: none"> a. retains and incorporates areas of functional flood plain and existing surface water flow paths; b. protects and enhances existing habitats, particularly those associated Sidlings Copse and College Pond SSSI and the Bayswater Brook; c. connects with adjoining green infrastructure within Oxford City; d. retains and incorporates existing public rights of way and supports movement through the site and into adjoining areas by walking and cycling; and e. provides an appropriate buffer to the Oxford view cone.

ENV6-ENV10: Historic Environment Listed Buildings Conservation Areas Archaeology and Scheduled Monuments Historic Battlefields, Registered Parks and Gardens and Historic Landscapes	Environmental and social benefits with policies to protect the District's historic environment. (see answer to question C for further information on heritage impacts).
ENV11: Pollution – Impact from Existing and/or Previous Land Uses on New Development (Potential Receptors of Pollution)	Environmental benefits as policies ensure environmental protection including protecting occupiers of new developments from existing pollution and/or land uses.
ENV12: Pollution – Impact of Development on Human Health, the Natural Environment and/or Local Amenity (Sources)	Protects human health, the local environment and/or local amenity from new sources of pollution.
EP1: Air Quality	Protects public health from the impacts of poor air quality. (see answer to question C for further information on air quality impacts).
EP3: Waste Collection and Recycling	Provides adequate facilities for the storage and collection of waste and recycling.

EP4: Flood Risk	Environmental benefits by minimising the risk and impact of flooding. On Land North of Bayswater Brook, the Bayswater Brook runs along the south of the site. STRAT13 focuses built development within Flood Zone 1 only, with areas of Flood Zone 2 and 3 preserved as accessible green space.
DES1: Delivering High Quality Development	Social and environmental benefits by securing development of a high quality and sustainable design.
DES2: Enhancing Local Character	DES2 ensures that all new development has social and environmental benefits by including a contextual analysis that demonstrates how the design has been informed and responds positively to the site and its surroundings and reinforces place-identity by enhancing local character.
DES3: Design and Access Statement	Social and environmental benefits by providing for a comprehensive design process to be undertaken, including the production of a delivery strategy and ensure consultation with the local community. The policy ensures that sites have factored in the key design objectives and principles of the South Oxfordshire Design Guide.
DES4: Masterplans for Allocated Sites and Major Development	Social and environmental benefits by requiring a comprehensive masterplan to be undertaken, illustrating integration of green infrastructure, accessibility to encourage walking cycling and use of public transport, a legible structure and careful siting of community facilities. These masterplans can ensure other relevant policies of the Plan are met. An agreed comprehensive masterplan for the site at Land North of Bayswater Brook will ensure that sustainable development is achieved.
DES5: Outdoor Amenity Space	Provides for outdoor amenity space for all new dwellings that has been considered as an integral part of the design.

DES6: Residential Amenity	Protects neighbouring uses from adverse impacts.
DES8: Efficient Use of Resources	Provides for the effective use and protection of natural resources, providing environmental benefits.
DES9: Promoting Sustainable Design	Promotes sustainable design that minimises carbon emissions and is resilient to climate change.
DES10: Renewable Energy	Promotes renewable energy and low carbon energy generation at all scales including domestic schemes.
Proposed DES11: Carbon Reduction	Provides for a phased reduction in carbon emissions from new residential development.
TC1: Retail and Services Growth	Provides for comparison and convenience retail floorspace including within the Strategic Allocations. STRAT13 sets out in paragraph 2, criterion v) that Land North of Bayswater Brook will be expected to deliver ' <i>convenience floorspace that meets the day-to-day needs of the local community</i> '.
TC2: Retail Hierarchy	Protects the role and function of existing town and local centres across the district. STRAT13 requires in paragraph 2, criterion v), that the convenience floorspace proposed does not impact on ' <i>the vitality and viability of existing centres in accordance with Policy TC2</i> '.
CF1: Safeguarding Community Facilities	Social benefits by protecting essential community facilities and services.
CF2: Provision of Community Facilities and Services	Social benefits by supporting the development of new or extended community facilities. The IDP (PSD27) sets out in appendix 2.5 ¹⁵ that for the Bayswater site, developer contributions will be required towards a community hall and libraries (ref. BAY01 and BAY05).

¹⁵ Page 47 of IDP (PSD27)

CF3: New Open Space, Sport and Recreation Facilities	Social and environmental benefits by supporting the development of new sport and recreation facilities and requires that they are co-located with other community uses and well related to the settlements they serve and, as far as possible, accessible by public transport.
CF4: Existing Open Space, Sport and Recreation Facilities	Social and environmental benefits by protecting existing open space, sport and recreation facilities.
CF5: Open Space, Sport and Recreation in New Residential Development	Social and environmental benefits by providing for on-site and accessible open space, sport and recreation facilities. The IDP (PSD27) sets out the sports and leisure infrastructure required on site in appendix 2.5 ¹⁶ . This will include sports facilities, playing pitches and local leisure facilities (ref. BAY10, BAY11, BAY12).

14. The Council considers that the Plan adequately lays the framework for the sustainable development of STRAT13 and is deliverable and sound. No further modifications are required.

16c: What are the impacts on landscape, the SSSIs, listed buildings and archaeology and other environmental matters and how would they be addressed?

Council Response:

15. Strategic Site Selection Background Paper Part 2 (TOP06.1) sets out the initial site assessment and identifies potential impacts on environmental matters within the 'weaknesses' and 'threats' sections of the relevant SWOTs¹⁷. The extent of these impacts has been explored in the evidence documents produced as

¹⁶ *Ibid.*

¹⁷ In Appendix 3 – from page 143 for Lower Elsfield and page 176 for Wick Farm of Strategic Site Selection background paper part 2 (TOP06.1)

background documents to the Plan¹⁸. The individual topics are identified below, with a summary of how the Plan addresses the identified impacts.

Landscape

16. The Council has relied on landscaping studies to develop an understanding of the landscape value, character, sensitivity and capacity of the site. The South Oxfordshire Landscape Capacity Assessment Update (NAT04) identified that the western part of the Lower Elsfield site¹⁹ is highly sensitive in landscape and visual terms due to the location of the Oxford view cone and the general visibility of this part of the site from elevated footpaths. The high ground within the entire site is also sensitive in both landscape and visual terms. In particular, the land adjacent to College Pond and Wick Copse SSSI is identified as highly sensitive in landscape terms and the assessment recommended that it was not developed. The lower lying ground to the south-east of the site was identified as having a higher capacity to accept development in landscape and visual terms. This land is less visible and, due to its flat landform, has a higher potential for successful mitigation than the remainder of the site²⁰. The field pattern is large scale and the intact field boundaries have the potential to be retained, forming the basis for a green infrastructure strategy.
17. In IC4A we identified that the key risk in landscape terms was the area to the west of the site, which lies within one of the designated Oxford view cones and potentially development in this area could harm historic views of Oxford City. The Heritage Impact Assessment (BHE03.1) recommended²¹ that a buffer zone be adopted, in order to protect the historic views of the City from impact. The policy incorporates this recommendation within section 3.ix) e. with the western part of the allocation retained solely for access.

¹⁸ Including Strategic Site Selection Background Paper Part 2; Heritage Impact Assessment; Landscape Sensitivity Assessment; and Ecological Assessment of Sydlings Copse and College Pond SSSI – specific reference is contained within the text

¹⁹ Page 40 of South Oxfordshire Landscape Capacity Assessment Update (NAT04)

²⁰ Page 413 of Strategic Site Selection background paper part 2 (TOP06.1)

²¹ Page 191 of Heritage Impact Assessment (BHE03.1)

18. The sensitivity of the western part of the site in landscape terms was reiterated within the Strategic Allocation Landscape Sensitivity Assessment (NAT05) which stated that the western part of the site (Lower Elsfield) was not recommended to be taken forward as a potential strategic allocation, but that Wick Farm could be taken forward, subject to development proposals responding to certain requirements, including requiring a full detailed landscape and visual impact assessment to inform the final sensitivity of the potential development²². This requirement for landscape and visual impact assessments is incorporated within section 3 of STRAT13.
19. Due to the conclusions of the evidence documents, the general site assessment outcome was to recommend that these sites should only progress to the detailed site assessment stage with a revised site boundary and reduced developable area (to reflect inter alia landscape constraints)²³. STRAT13 reflects the recommendations of the evidence documents and defines a development boundary which restricts development to the southern and eastern parts of the site. This also corresponds largely to areas of the Green Belt assessed as having a lower contribution to Green Belt purposes, specifically the Sandhills area where the release of the site for development was considered to have low-moderate harm on Green Belt²⁴. Furthermore, section 3 of Policy STRAT13 requires the masterplan and includes requirements²⁵ which aim to minimise visual impacts on the surrounding countryside, buffers the Oxford view cone and provides a network of green infrastructure.

Sidlings Copse and College Pond SSSI

20. The Strategic Site Assessment Background Paper Part 2 (TOP06.1) and the Ecological Assessment of Sydlings Copse and College Pond SSSI (NAT14) identified that STRAT13 has the potential to result in greater quantities of

²² Page 110 of Strategic Allocation Landscape Sensitivity Final Report (NAT05)

²³ Page 396 of Strategic Site Selection background paper part 2 (TOP06.1)

²⁴ Sandhills area corresponds to Parcel 2C, from page 35 of Green Belt Assessment of Strategic Sites in South Oxfordshire (NAT09)

²⁵ Specifically iv); v); vi); vii); and ix)

recreational visitors to the SSSI Site, which could result in an adverse impact to habitats and botanical species through increased recreational pressure. In particular, this is likely to adversely impact the accessible sensitive habitats located within Sidling's Copse Nature Reserve²⁶. However, the report states that the risk posed depends upon the accessibility of the SSSI from footpaths (taking into account distance, terrain and barriers) and it is possible that visitor numbers would not increase significantly in the absence of mitigation. The ecological assessment (NAT14) advises that at present the western pond pathway is not an accessible or well used access. It states that access here is likely to be low even with a significantly increased local population, due to the steeply sided terrain, wet ground conditions and dense vegetation that restricts informal off path human access into the SSSI at this location²⁷.

21. The ecological assessment (NAT14) identified a number of recommendations for mitigating against recreational pressure and air quality impacts that may be predicted with the introduction of development at the proposed strategic allocation. The report recommended that the feasibility of enhancing and restoring the fencing along the northern boundary of the SSSI be explored²⁸. It also recommended that green infrastructure (similar to Suitable Alternative Natural Greenspace (SANG) provision) be provided within a strategic location between the SSSI and residential development area, to reduce the effect of increased visitor pressure on the site's sensitive habitats and that there should not be any roads within 200m of the SSSI²⁹. In IC4A we suggested that the masterplanning of the site needed to be carefully planned to encourage use of the access to the footpath to the Wildlife Trust Nature Reserve rather than the western part of the SSSI and we considered that the implementation of these measures could ensure the integrity of the SSSI was protected.

22. As IC4A states, this SSSI is particularly vulnerable to changes in water quantity and quality and is of a type where only 19 hectares remains in the UK. The

²⁶ Page 16 of Ecological Assessment of Sydlings Copse and College Pond SSSI (NAT14)

²⁷ Page 13 of Ecological Assessment of Sydlings Copse and College Pond SSSI (NAT14)

²⁸ Page 16 of Ecological Assessment of Sydlings Copse and College Pond SSSI (NAT14)

²⁹ Page 13 of Ecological Assessment of Sydlings Copse and College Pond SSSI (NAT14)

ecological assessment (NAT14) advised that no local hydrological data was available to inform the assessment and therefore concluded that additional hydrological data will be required. The Council reiterated this requirement in IC4A and added that the need for the detailed assessment was confirmed by Natural England in their response to the Regulation 19 consultation.

23. The site promoters have since produced additional hydrological evidence and they are continuing to work with us to produce ecological evidence, but this has not yet been fully reviewed by the Council, as more information is required. Furthermore, the policy wording of STRAT13 includes two requirements to deal with the potential impact of development on the SSSI. Specifically these are '*viii) a development that ensures that there will be no demonstrable negative recreational, hydrological or air quality impacts on the Sidlings Copse and College Pond SSSI*' and '*Proposals will be required to deliver a masterplan that has been informed by detailed landscape, visual, heritage and ecological impact assessments and demonstrates an appropriate scale, layout and form that:... b. protects and enhances existing habitats, particularly those associated Sidlings Copse and College Pond SSSI and the Bayswater Brook*'.

Listed Buildings

24. The Heritage Impact Assessment (HIA) (BHE03.1) advised that there are sensitive heritage assets which are likely to be impacted by development within the site³⁰. There are a number of listed buildings in the area at Wick Farm and Stowford Farm. The settings of these monuments will be substantially altered as a result of development, therefore, consideration should be given to preserving the setting of these buildings within any development. The HIA went on to further recommend that at Wick Farm and Stowford Farm, preserving the setting should be achieved through the inclusion of a buffer between any development and the historic farmsteads, thus preserving or maintaining an element of their historic landscape setting. This is particularly important for Wick Farm as it is identified that the potential impact on the significance of the asset could be substantial³¹. Table 4.5.2

³⁰ Page 193 of Heritage Impact Assessment (BHE03.1)

³¹ Page 187 of Heritage Impact Assessment (BHE03.1)

of the HIA sets out mitigation: *‘High quality design including a landscape buffer between the development and the farmstead may help to maintain an aspect of the former historic setting of the farmstead’.*

25. The policy addresses the impact on the heritage assets through the inclusion of wording within part 3 of Policy STRAT13. Mod 29 of CSD13 proposed a modification to this section of the policy so that it reads: *‘Proposals will be required to deliver a masterplan that has been informed by detailed landscape, visual, heritage and ecological impact assessments and demonstrates an appropriate scale, layout and form that:... ii) conserves or enhances the significance of listed buildings and structures within and surrounding the site, and the appreciation of that significance, and preserves or enhances their settings’.* In order to concisely address the issue and mitigation identified in the HIA and to incorporate reference to Policy ENV7 on Listed Buildings, a further modification is suggested at the end of this statement.
26. The HIA (BHE03.1) also specifically mentions the Grade II* Well House in the Wick Farmstead which is currently on the Heritage at Risk register. The HIA report recommends in Table 4.5.2 that further assessment is needed to determine the current condition of the asset, the factors that have resulted in it being ‘at risk’ and the steps that need to be taken in order to ensure its removal from the register. Enhancement of the asset could be facilitated through development which includes a provision for repair work to the structure, to enable removal of the asset from the Heritage at Risk register. Policy STRAT13 incorporates a requirement (2.vii) regarding the Well House to address its ‘at risk’ status.

Archaeology

27. The HIA (BHE03.1) identified that there is high potential for archaeological remains dating to the Roman period in and around the site. There are three locations of potential Roman archaeology: a large linear settlement along the Bayswater Road, a villa in the north and a further possible site at Lower Farm³².

³² Page 178 of the Heritage Impact Assessment (BHE03.1)

28. In table 4.5.2, the HIA (BHE03.1) advised that the archaeological significance of the site should be established prior to any development taking place and that a programme of archaeological investigation comprising geophysical survey and subsequent archaeological evaluation should be undertaken.
29. To address the findings of the HIA, the policy wording of STRAT13 states “*An archaeological assessment will need to be undertaken before the preparation of the masterplan*”. To meet the requirements of the HIA and the policy, the site promoters have been undertaking additional archaeological work, including trial trenching and a modification has been recommended at the end of this statement to reflect the most up to date position. The complete results of this investigation are not available at the time of writing and, therefore, in order to adequately address the findings of the archaeological investigations and to enable appropriate mitigation responses to be provided through the masterplanning and application process, the policy has been drafted with sufficient flexibility. Point 4 of STRAT13 concludes ‘*a scheme of appropriate mitigation should be established, to include the physical preservation of significant archaeological features and their setting*’.

Air Quality

30. Oxford City is designated as an Air Quality Management Area (AQMA). As the site lies adjacent to the Oxford Air Quality Management Area (AQMA), appropriate air quality mitigation measures should be undertaken to minimise impacts on the Oxford AQMA. Part 5 iv) of Policy STRAT4, requires proposals delivering strategic development to be supported by an Air Quality Assessment and proposals will need to act in accordance with Policy EP1, which sets out key criteria that will need to be complied with in order to protect the public from the impacts of poor air quality. STRAT13 requires ‘*a development that ensures that there will be no demonstrable negative recreational, hydrological or air quality impacts on the Sidlings Copse and College Pond SSSI*’, but it does not refer directly to impact on the Oxford AQMA. To ensure the policy is consistent with other edge of Oxford sites and mitigate any potential impact on the Oxford AQMA, a modification is suggested below.

31. In conclusion, the Council considers Policy STRAT13 to be sound and that it addresses the identified environmental impacts. In order to strengthen the approach to mitigation of issues regarding listed buildings the Inspector proposed a modification within IC3 so that part 3. ii) of the policy reads: '(ii) *preserves or enhances listed buildings and their settings, both within and surrounding the site, in accordance with Policy ENV7*' We propose to further add to this modification so that the recommendations of the HIA (BHE03.1) are fully addressed.

Proposed Modification 83 (PSD48); new text is shown in **bold underline** and text that has been removed is shown in ~~strikethrough~~:

*'Proposals will be required to deliver a masterplan that has been informed by detailed landscape, visual, heritage and ecological impact assessments and demonstrates an appropriate scale, layout and form that:... ii) **includes a landscape buffer between the development and Wick Farm, as well as incorporating high quality design to** ~~conserves~~ **preserves** or enhances the ~~significance of listed buildings and~~ **their settings, both** ~~structures within and surrounding the site, and the appreciation of that significance, and preserves or enhances their settings~~ **in accordance with Policy ENV7***

32. Modification to section 4 of STRAT13 which deals with archaeology are proposed to reflect the latest information. Previously this section was amended by mod 30 of CSD13 to read:

'An archaeological assessment will need to be undertaken **before the preparation of the masterplan** ~~determination of any planning application for this site~~. Following this assessment, a scheme of appropriate mitigation should be established, to include the physical preservation of significant archaeological features and their setting ~~where appropriate~~.' This has been further refined.

33. In addition to this modification, Proposed Modification 84 (PSD48) reads as follows:

*An archaeological assessment will need to be **evaluation was** undertaken **during 2020** before the preparation of the masterplan. ~~determination of any planning application for this site~~. Following this assessment, a **A** scheme of*

appropriate mitigation should be established, to include the physical preservation of significant archaeological features and their setting ~~where appropriate~~.

34. Furthermore, to ensure consistency with other edge of Oxford allocations and address any potential issues with air quality in the vicinity to the Oxford AQMA an additional modification 79 (PSD48) is proposed to be added to part 2. of STRAT13:

ix) appropriate air quality mitigation measures to minimise impacts on the Oxford AQMA as demonstrated through an appropriate Air Quality Screening Assessment

16d: What is the most up to date information on infrastructure delivery and funding, notably the road accesses?

Council Response:

35. The position regarding infrastructure requirements was set out in IC4A. The most up to date Infrastructure Delivery Plan (IDP) (PSD27) includes an infrastructure schedule³³ and lists the key infrastructure requirements³⁴ for Land north of Bayswater Brook, which includes:

- High quality walking and cycling infrastructure both on site and off site, including (but not limited to) provision of a pedestrian/cycle bridge over the A40;
- High quality public transport infrastructure and services;
- One 1.5 Form Entry primary school including early years provision, or a smaller school with expansion of an existing nearby school;
- Contribution towards an off-site secondary school;
- Contribution towards an off-site SEND school;
- Highway infrastructure works;
- Contribution towards GP provision;

³³ Appendix 2.5, page 47 of Infrastructure Delivery Plan (PSD27)

³⁴ Page 23 of Infrastructure Delivery Plan (PSD27)

- Contribution towards leisure facilities;
- Provision of green infrastructure and open space;
- Sufficient upgrades to the sewage, water, gas and electricity networks.

(NB: other mitigation measures may be required as identified through an agreed transport assessment)

36. In line with policies in the Plan, developers will be expected to contribute to or deliver infrastructure necessary to support their sites and to mitigate the impact of their development. This will be informed by the viability report (INF02.3) and the planned Community Infrastructure Levy (CIL) Charging Schedule update, which is expected to follow closely behind the timetable of the Local Plan.
37. We are in the process of updating the viability assessment to account for changes to the updated IDP, however, the latest available viability study (INF02.3) concludes that the site (Land North of Bayswater Brook) is viable when infrastructure requirements are factored in, including 50% affordable housing and s106 infrastructure costs of £83,319 per unit.
38. Within IC4A, it was identified that the provision of road accesses for the site was potentially a risk to the delivery. The risk was identified due to two reasons:
- a) insufficient progression of detailed transport modelling; and
 - b) a lack of effective agreement between the site promoter and the highways authority as to the most effective and viable options for access to this site.
39. There are ongoing discussions between Oxfordshire County Council (OCC) and the site promoters to resolve these risks. We have identified potential measures to mitigate impacts on the road network within the IDP (PSD27) which are evidenced by the ETI (TRA06.5 / TRA06.6), including a new road access between the site and the A40/ B4150/ Marsh Lane junction and either the A40 between the Thornhill Park and Ride junction and the Church Hill junction for Forest Hill, or significant upgrades to the existing A40 Northern Oxford Bypass road, including at the A40/A4142 Headington Roundabout.

40. The policy recognises the lack of agreement on access by referring to two potential options in part 2.vi) c. *‘which is likely to include a new road access between the site and the A40/ B4150/ Marsh Lane junction, and either a new road link between the site and the A40 between the Thornhill Park and Ride junction and the Church Hill junction for Forest Hill, or significant upgrades to the existing A40 Northern Oxford Bypass road including at the A40/ A4142 Headington Roundabout’*. If more detailed evidence indicates that the preferred mitigation is a new link road extending from Marston Interchange to east of the Thornhill Park and Ride, land will need to be identified and secured for its delivery, in consultation with the land owners and the County Council. These solutions are being explored between the site promoter and OCC. The Council’s viability evidence still includes the highest probability estimate for costing of the scheme with appropriate buffers. The site promoters are working with OCC to agree additional evidence, including modelling to show if mitigation measures or other options may also be suitable. Currently, agreement on the accesses has not been reached and we await the detailed transport modelling evidence from the site promoter. To make the need for an access point at the Marston interchange clear and to help address OCC’s concerns regarding access, a modification to the supporting text in paragraph 4.115 is suggested at the end of this statement.
41. Regarding the Sandhills portion of the allocation - it is technically possible, in principle, to access the site off Burdell Avenue or Delbush Avenue, provided that there is an emergency vehicle access available, which is more likely to be from Delbush Avenue. A new development in this location will be expected to bring forward new pedestrian and cycle connections to the adjoining area in accordance with OCC design standards. As the new development will be connecting to an established estate, the connections between old and new will need to be carefully considered. Any new accesses will cross public right of way routes, which will require re-routing or be designed into a future access arrangement. Additionally, a capacity assessment of the signalised junction of Merewood Avenue / A40 will be required.

42. To make the need for an access point at the Marston interchange clear and to help address OCC's concerns regarding access, a modification to the supporting text in paragraph 4.115 is suggested:

Proposed Modification 76 (PSD48); new text is shown in **bold underline** and text that has been removed is shown in ~~strike through~~:

*Road capacity to the east of Oxford is already under significant pressure, particularly along the A40 and the Headington roundabout. There is currently insufficient road capacity to support new, direct road access between the site and the A40 west of the Barton Park site. **Therefore, it is anticipated that the main access for the site will come via a remodelling of the Marston interchange with an additional access onto Bayswater Road which will be improved so that the access is safe.***

16e: Is the delivery trajectory realistic?

Council Response:

43. Yes, the delivery trajectory is realistic. As discussed in the Strategic Site Delivery Trajectory Appendix (PSD24), the site promoter provided information regarding their delivery assumptions in April 2019, anticipating commencement on site in early 2022. We pushed back so that the site would commence in early 2025, with homes first being delivered in 2025/26 and we used the lower build out rate of the range provided, to reflect the status of the site and issues to be resolved. Consequently, we consider that the delivery trajectory is realistic and achievable and that, whilst this would be an appropriate and viable timescale for development, nothing precludes the site from coming forward sooner.

44. The latest position on housing delivery is set out in the Strategic Site Delivery Trajectory tracked changes (PSD24) and replicated below:

	Total Dws	2023 /24	2024 /25	2025 /26	2026 /27	2027 /28	2028 /29	2029 /30	2030 /31	2031 /32	2032 /33	2033 /34
Council's Trajectory	1,100			50	150	150	150	150	150	150	150	

45. It was identified in IC4A that there were some outstanding risks to the delivery of residential development on the proposed allocation Land North of Bayswater Brook by Policy STRAT13. The risks related to:
- Determining the road access to the site;
 - Hydrological sensitivity of the Ecological Assessment of Sidlings Copse and College Pond SSSI; and
 - Impacts on the historic environment.
46. Significant progress has been made to address these risks. The site promoters have been working with the Council and OCC and they are producing additional evidence to resolve issues prior to the submission of a planning application. Our response in IC4A details that, in terms of access, if a new Link Road extending from Marston Interchange to east of the Thornhill Park and Ride is required, this may lead to a delay of up to an additional five years (based on an estimate of the time needed to build a case for additional funding and the possibility of gaining that funding).
47. At this time, no planning applications for land north of Bayswater Brook have been submitted. However, the site promoters are producing their concept masterplan and there has also been a significant amount of technical and pre-masterplanning work undertaken, which significantly reduces the risk of unexpected future costs/delays. We believe delivery of the first homes in 2025/26 provides sufficient time for the preparation, submission, consideration and determination of planning applications, as well as time for any pre-application discussions and/or any discharge of condition applications. Consequently, it is felt the trajectories are realistic.

Appendix 1: Key References

National Planning Policy Framework 2019	<ul style="list-style-type: none"> • Paragraph 8 • Paragraph 112 • Paragraph 137 • Paragraph 182
Other Relevant Policies in the South Oxfordshire Local Plan	<ul style="list-style-type: none"> • STRAT1: The Overall Strategy • STRAT4: Strategic Development • STRAT13: Land North of Bayswater Brook • ENV7: Listed Buildings • EP1: Air Quality
Key Evidence Base Studies	<ul style="list-style-type: none"> • Green Belt Topic Paper (PSD07) • Green Belt Assessment of Strategic Sites in South Oxfordshire (NAT09) • Infrastructure Delivery Plan (PSD27) • Strategic Site Selection Background Paper Part 2 (TOP06.1) • Oxfordshire Authorities Statement of Common Ground (SCG01) • Sustainability Appraisal (SA) (CSD04.2) • South Oxfordshire Landscape Capacity Assessment Update (NAT04) • Heritage Impact Assessment (BHE03.1) • Strategic Allocation Landscape Sensitivity Report (NAT05) • Ecological Assessment of Sydlings Copse and College Pond SSSI (NAT14) • ETI (TRA06.5 / TRA06.6) • Strategic Site Delivery Trajectory Appendix (PSD24) • Inspectors' Report for the Oxford Local Plan 2036 (PSD33) • Cherwell District Council 'Post Preliminary Hearing' Letter (PSD34) • Cherwell District Council 'Post Hearings Advice Note' (PSD35)

Please contact Planning Policy on
01235 540546

