

our ref: Q70337  
your ref:  
email: tim.waring@quod.com  
date: 16 March 2017



Caroline Ford  
Cherwell District Council  
Bodicote House  
Bodicote  
Banbury  
OX15 4AA

Dear Ms Ford

### **14/02121/OUT – HIMLEY VILLAGE**

We act on behalf of Albion Land Two Limited (“AL”). AL control 20.06ha of land at Middleton Stoney Road/Howes Lane, Bicester (“the Site”). The Site forms part of the land allocated by Cherwell Local Plan (2015) Policy Bicester 1 to form the North West Bicester Eco-Town (“the Eco-Town”). The Masterplan Framework for the Eco-Town identifies the southern portion of the Site for employment development, envisaged to deliver a business park, whilst the remainder of the Site is identified for residential development.

You will be aware that the Site is the subject of a live Planning Appeal (reference APP/C3105/W/16/3163551) and that part of the Site is currently also the subject of a Planning Application (reference 17/00455/HYBRID). We have considered your Report to the Cherwell District Council Planning Committee (“the Planning Committee”) dated March 2017 in this context.

The Report updates the Planning Committee on Officers’ conclusions regarding the amount of development that can come forward as part of the development proposed by Planning Application reference 14/02121/OUT, which relates to land at Himley Village (“the Application Site”). It concludes that up to 500 dwellings can be delivered and occupied prior to the Eco-Town Strategic Link Road (including the tunnel underneath the railway (as proposed by Planning Application reference 14/01968/F or any application which supersedes it)) being delivered and fully open to vehicular traffic.

Our interpretation of the recommendation set out in the Report is that the level of traffic associated with this level of housing delivery at the Application Site is considered to be acceptable **in addition** to the traffic that will be associated with the delivery of up to 507 dwellings by A2 Dominion **and** “a level of development equivalent to 40% of the commercial land” on the Site, i.e. that the proposed granting of the planning permission at Himley Village will not prejudice development coming forward at AL’s Site in the way that was envisaged when Officers recommended approval of the Appeal Scheme in June 2016.

It was confirmed through the Council’s consideration of the Appeal Scheme that development at the Site in the order of 135 dwellings, plus 26,500sqm floorspace within use classes B2 and B8 was “equivalent” to the traffic movements that were predicted as a result of the delivery of 40% of the Eco-Town’s commercial land.



The ability to bring forward this level of development (or equivalent) at the Site in advance of the SLR and the railway tunnel is critical to the wider delivery of the Eco-Town, not least because the part of the SLR that is within the Site will only be delivered alongside the proposed employment and residential development. The development is also required to help finance the delivery of the railway tunnel. You consider this matter at Paragraph 7.26 of your Report.

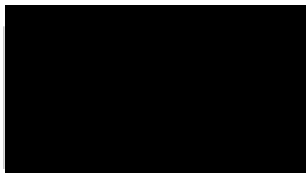
Provided the Council continues to recognise this requirement and protects the Site's apportionment of existing highway capacity (i.e. development which generates vehicular trips up to the number anticipated to result from delivery of 40% of the commercial land) in advance of the SLR and tunnel being delivered, AL has no objection to the proposed approach to development at the Application Site.

If, however, we have misinterpreted your recommendation to the Planning Committee (or the Planning Committee is minded to allow more development at the Application Site in advance of the SLR and tunnel, resulting in the quantum of development able to come forward at the Site being reduced) AL object.

They do so on the basis that any reduction in the amount of development that can come forward at the Site has the potential to undermine the delivery of the SLR and railway tunnel, both of which are critical to the wider delivery of the Eco-Town. In these circumstances, AL would ask that the Planning Committee defer their decision. AL's Solicitors have been Instructed on this matter.

AL note the Applicants' claim that a modular building factory could be delivered on an "adjacent site". If they are referring to the AL Site, then please be advised that no arrangements are currently in place for this.

Yours sincerely



Tim Waring  
Director

cc. Kelvin Pearce, Albion Land