

**CHERWELL DISTRICT COUNCIL**  
**TOWN AND COUNTRY PLANNING ACT 1990**

Appeal by CALA Homes (Midlands) Ltd against the decision of Cherwell District Council to refuse outline planning permission for a development of up to 200 residential units with access, amenity space and associated works at South Lodge, Fringford Road, Caversfield.

Appellant	:	CALA Homes (Midlands) Ltd
Appeal Site	:	South Lodge, Fringford Road, Caversfield
Appellant's Agent	:	Pegasus Group
LPA Reference	:	13/01056/OUT
Planning Inspectorate Reference	:	APP/C3105/A/13/2208385

**SUMMARY OF PROOF OF EVIDENCE**

**OF**

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**BSc (Hons) MRTPI**

**Principal Planning Officer, Cherwell District Council**

**FEBRUARY 2014**

## **APPEAL SITE LOCATION AND DESCRIPTION**

The site is a roughly rectangular shaped area of 7.1 hectares and comprises grassland to the west of Fringford Road on the edge of Caversfield in the open countryside. The boundaries are defined by Fringford Road (not including the 4 properties in the corner), an unnamed road to the south (connecting Fringford Road to Banbury Road), mature trees to the west and no defined boundary to the north. The site can be accessed from Fringford Road or the unnamed road.

The application is in outline and for up to 200 dwellings including 35% affordable units. All matters are reserved except access.

## **RELEVANT PLANNING POLICY**

The Council's development plan comprises those saved policies of the Adopted Cherwell Local Plan 1996 (ACLP), as detailed in section 3 of the Council's Rule 6 Statement.

The Non-Statutory Cherwell Local Plan 2011 (NSCLP) as interim planning policy for development control purposes. Although a material consideration, limited weight can be attributed to policies contained within the NSCLP.

The Cherwell Local Plan 2006-2031 was formally submitted on 31 January 2014. Given its current status it can only be attributed limited weight.

## **THE COUNCIL'S CASE**

The Council cannot currently demonstrate a five year supply of deliverable housing sites. The Council accepts that paragraph 14 and 49 of the NPPF are engaged.

It is accepted that the housing supply policies of the ACLP are out of date. However, Policy H18 also serves to protect the countryside outside settlements, which is consistent with the NPPF.

Policy C7 of the ACLP seeks to prevent development that would *cause demonstrable harm to the topography and character of the landscape*. Policy C7 is consistent with the policy of the NPPF and can be accorded significant weight.

Policy C8 of the ACLP seeks to resist sporadic development in the open countryside and Policy C15 of the ACLP seeks to prevent the coalescence of settlements and to safeguard the identities of those villages close to the urban areas.

The Council recognises that, in addition to helping to address the housing deficit, the scheme would result in a number of material benefits including a commitment to meet the Council's 35% affordable housing requirement. However, it is considered that the harm that this proposal would cause to the character and appearance of the landscape would significantly and demonstrably outweigh such benefits.

A number of issues have been identified:

- Open countryside policy
- Green buffer policy
- Heritage assets – Effect on the setting of the RAF Bicester Conservation Area
- Encroachment into open countryside beyond the built up limits of Bicester and Caversfield
- Sustainable development
- Provision of affordable housing
- Section 106 obligation

My evidence demonstrates that the development of the appeal site would fail to deliver a sustainable development resulting in encroachment into the open countryside beyond the established and well-defined physical road boundaries. The extension of the built form into the open countryside would thereby cause significant and demonstrable harm to the character and appearance of the rural area and would result in the coalescence of Bicester and Caversfield.

Both the principle of development and the harm which would be caused by encroachment would be contrary to adopted local policies, non-statutory policies, and national policy as set out in the NPPF.

The Council accepts that it cannot currently demonstrate a 5 year housing land supply. However, although the development would provide market and affordable housing in a broadly accessible location, for the reasons set out above, in the context of the presumption in favour of sustainable development in the NPPF, it is considered that the proposal would not result in sustainable development and that the adverse impacts would significantly and demonstrably outweigh the benefits of granting consent.

