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25 June 2020

By email only

For the attention of David Peckford

Dear Sirs

**Land to the east of M40 and south of A4095, Chesterton, Bicester
Planning application ref. 19/02550/F**

We act for Great Lakes (UK) Limited ("the Applicant") in relation to its application for planning permission for the redevelopment of part of the golf course to provide a new leisure resort, incorporating waterpark, family entertainment centre, hotel, conferencing facilities and restaurants with associated access, parking and landscaping ("the Application") which was refused by Cherwell District Council at committee on 12 March 2020.

The Applicant intends to submit an appeal against the refusal of the Application in accordance with S78 of the Town and Country Planning Act 1990 ("the Act"). As part of the statement of case for submission to the Planning Inspectorate, the Applicant will address the six reasons for refusal specified in the committee report dated 4 March 2020 ("Committee Report"). In order to do so effectively and in a collaborative manner that seeks to narrow the issues between the parties, the Council is asked to respond on the following points.

1 Loss of 18-hole golf course

Paragraph 9.22 of the Committee Report states, "*The existing site is used as part of an 18-hole golf course and as part of the proposal 9-holes of the course would be lost. The applicant does not propose to replace the golf course with equivalent provision in terms of quantity.*"

As part of the application process and in regular discussions with England Golf and the Council's Leisure and Recreation Team, the Applicant agreed to a planning obligation to secure an 18-hole golf course on the site of the remaining 9-hole golf course, together with an investment in the practice range and scholarship fund to support youth golfers. It is considered that this fully addresses the concerns raised in the Committee Report and in the corresponding reason for refusal. The Council is asked to confirm that it

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considers that the information provided and the planning obligation addresses this reason for refusal and if not, why not, and to state what further information is required in relation to this.

2 Geographically unsustainable location

The Applicant's understanding is that Oxfordshire County Council ("OCC"), as highway authority, did not object to the Application on the grounds of sustainability once contributions to a public bus service, including a shuttle bus service in perpetuity and an obligation to provide extensive footways and cycleways into Chesterton Village and beyond were agreed. The Applicant agreed to these undertakings.

This point was not addressed in the Committee Report and the Council is asked to confirm, with regard to the obligations outlined above, that subject to securing those obligations this reason for refusal is addressed and, if not, to clarify the reasons why the Council considers that the location is unsustainable for a development of this kind.

3 Unacceptable traffic impacts

So far as the Applicant is aware, the only outstanding point of objection regarding traffic impacts from the highway authority ("OCC") related to the Middleton Stoney junction (B430/B4030). On 6 March 2020, the Applicant's agent, Motion, submitted further proposals relating to the junction to address those specific concerns. No response has been received from OCC to those proposals to suggest that the concerns remain outstanding.

The Council is asked to confirm that the concerns related specifically to that junction. If not, and there are any other highways within the vicinity of the proposed development that are said to be unacceptably affected, details of those alleged unacceptable impacts are requested. The Council is also asked to confirm that it considers that the information submitted by Motion addresses the concerns raised in respect of Middleton Stoney.

4 Size, scale and massing

The Committee Report states that the proposed building by virtue of its size, scale and massing will have a detrimental visual impact bringing significant urbanisation to a rural context.

In support of the Application, an Environmental Statement was prepared which included a chapter assessing the visual impact of the proposed development. The assessment was based upon sightlines which had been agreed with the Council's Landscape Officer and concluded that "the site has low landscape sensitivity to change". In addition, the Council's Landscape Officer did not raise a specific objection to the visual and landscape impact of the proposed development.

In order to understand this reason for refusal, the Council is asked to identify specifically:

- those viewpoints from which the Proposed Development is considered to have an unacceptable visual impact;
- whether the Council considers that the methodology used to carry out the environmental impact assessment was appropriate and compliant with the relevant guidance; and
- whether there are any additional viewpoints beyond those already agreed which the Council considers should have been assessed as part of the environmental impact assessment.

5 Inadequate drainage information

The Committee Report states that the drainage information submitted in support of the Application was inadequate.

On 9 March 2020, additional drainage information was submitted to the Council, but this information was not reported to the committee. The Council is asked to confirm that the information now submitted provides the information required and addresses any outstanding concerns and, if not, to identify specifically what further information in relation to the drainage and flood risk strategy is said to be required.

6 Absence of satisfactory unilateral undertaking or other form of S106 legal agreement

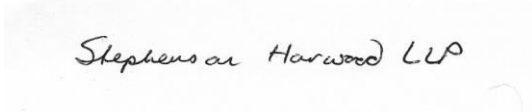
The Planning Statement which was submitted in support of the Application included proposed heads of terms for a section 106 agreement and, at the time of committee, discussions were ongoing regarding the planning obligations to be secured. It was proposed that, in addition to the obligations set down in the Planning Statement, the Applicant would also contribute to local public bus services; secure layout changes to the remaining nine-hole golf course making it an 18-hole course; provide a fund for youth golf participation / training and provide extensive footways and cycleways into Chesterton Village and beyond.

The Council is asked to confirm that these Heads of Terms cover the matters required of a section 106 legal agreement. If, contrary to our understanding, and there are additional planning obligations which the Council would have requested that are not covered in this paragraph, please identify what these are and the justification for them.

The Council is asked to provide a prompt response to the queries raised in this correspondence. This will enable the Applicant to identify those reasons for refusal which remain valid and those which the Inspector will be asked to address on appeal. Consequently the Applicant will be able to provide more accurate details on the nature of the appeal and narrow the issues.

The Applicant remains committed to bringing its first UK flagship resort to the area and believes it will bring a number of benefits to the local community and economy, including jobs, use of local suppliers and an estimated £5.7m spent by guests throughout Oxfordshire per year.

Yours faithfully

A rectangular box containing a handwritten signature in black ink that reads "Stephenson Harwood LLP".

Stephenson Harwood LLP

cc Sarah Stevens, CDC (by email)
Alex Keen, CDC (by email)
Joy White, OCC (by email)